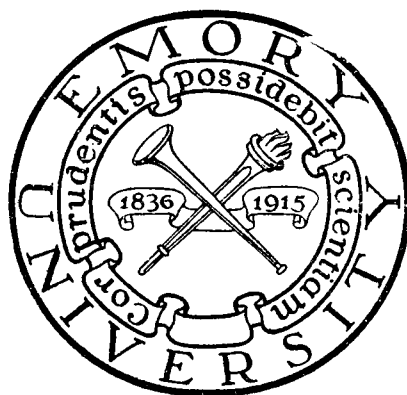






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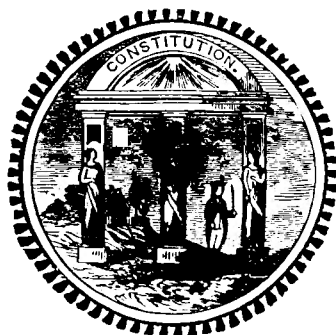






Journal  
OF  
THE SENATE  
OF THE  
STATE OF GEORGIA  
AT THE  
Regular Session  
OF THE  
GENERAL ASSEMBLY

At Atlanta, Wednesday, June 23, 1909



ATLANTA, GA.  
Chas. P. Byrd, State Printer  
1909



# JOURNAL.

SENATE CHAMBER, ATLANTA, GEORGIA.

WEDNESDAY, June 23, 1909, 10 o'clock A. M.

The Senators-elect for the years 1909 and 1910 met at 10 o'clock A. M. June 23, 1909, in the Senate Chamber and was called to order by Hon. C. S. Northen, Secretary of the last Senate. The Secretary of the State submitted to the Secretary the certified list of Senators-elect, the following is the list:

Akin	Johnson	Patterson
Bowen	Jackson	Price
Burwell	Kemp	Perry
Blackwell	King	Pitts
Callaway of 10th	Longley	Rutherford
Callaway of 29th	Mays	Rudieil
Calhoun	Murray	Slater
Cates	Morris	Sellers
Conley	Mathews	Stevens
Day	McLean	<b>Slaton</b>
Gordy	McDowell	Ward of 5th
Griffith	McCurry	Ward of 7th
Harrell	McWilliams	Womblo
Harben	McCollum	Wood
Irwin	McClure	

The foregoing official list was called to ascertain the presence of a quorum. This having been done, and a quorum being present, the blessings of God

were invoked by the Rev. J. W. G. Watkins. At the request of the Secretary, Senators-elect then presented themselves at the Secretary's desk and took the prescribed oath of office, the same being administered by the Hon. B. H. Hill, Justice of the Court of Appeals.

The Secretary then announced that the next business in order was the election of a President of the body.

Whereupon, the Hon. J. D. Price placed in nomination Hon. J. M. Slaton, of Fulton, for President. Was seconded by several.

There being no other nominations, the roll was called and the vote was as follows:

Those voting for Mr Slaton were Messrs.:

Akin	Johnson	McClure
Bowen	Jackson	Patterson
Blackwell	Kemp	Price
Callaway of 10th	King	Perry
Callaway of 29th	Longley	Pitts
Calhoun	Mays	Rutherford
Cates	Murray	Rudieil
Conley	Morris	Slater
Day	Mathews	Sellers
Gordy	McLean	Stevens
Griffith	McDowell	Ward of 5th
Harrell	McCurry	Womble
Harben	McWilliams	Wood
Irwin	McCollum	

Upon casting up the vote it appeared that Hon. Jno. M. Slaton had received 45 votes, which was all the votes cast, and was declared duly elected President of the Senate for the ensuing two years.

On motion of Mr. Gordy, a committee of three was appointed to escort the President to the chair, the following committee was appointed: Senators Gordy, Morris and Akin. The committee performed their duty and the President took the chair.

The President then announced the election of a Secretary of the Senate was the next order of business.

Whereupon, Senator Mathews placed in nomination the Hon. Chas. S. Northen, of Fulton, as Secretary of the Senate for the ensuing two years. This motion was seconded by several.

There being no other nominations, the roll was called and the vote is as follows:

Those voting for Mr. Northen were:

Akin	Griffith	Murray
Bowen	Harrell	Morris
Burwell	Harben	Mathews
Blackwell	Irwin	McLean
Callaway of 10th	Johnson	McDowell
Callaway of 29th	Jackson	McCurry
Calhoun	Kemp	McWilliams
Conley	King	McCollum
Day	Longley	McClure
Gordy	Mays	Patterson

Price	Slater	Womble
Perry	Sellers	Wood
Pitts	Stevens	Mr. President
Rutherford	Ward of 5th	
Rudicil	Ward of 7th	

Upon casting up the vote it appeared that the Hon. Chas. S. Northen had received 43 votes, which was all the votes cast, and was duly elected Secretary of the Senate for the ensuing two years.

The next business was the election of a President pro tem.

Senator Rutherford placed in nomination the Hon. Julian B. McCurry, of 31st District. This nomination was seconded by several.

There being no other nominations, the roll was called for the election of President pro tem, and the vote for Mr. McCurry was as follows.:

Akin	Johnson	Price
Bowen	Jackson	Perry
Burwell	Kemp	Pitts
Blackwell	King	Rutherford
Callaway of 10th	Longley	Rudicil
Callaway of 29th	Mays	Slater
Calhoun	Murray	Sellers
Cates	Morris	Stevens
Conley	Mathews	Ward of 5th
Day	McLean	Ward of 7th
Gordy	McDowell	Womble
Griffith	McWilliams	Wood
Harrell	McCollum	Mr. President
Harben.	McClure	
Irwin	Patterson	



Upon casting up the vote it appeared that the Hon. J. B. McCurry had received all the votes cast, which was 4. He was therefore declared duly elected President pro tem of the Senate for the ensuing two years.

The next business in order was the election of a Messenger for the ensuing two years.

Mr. Gordy placed in nomination the Hon. Flynn Hargett, of Harris County, for Messenger of the Senate. This nomination was seconded by several. There being no other nominations, the roll was called for the election of Messenger.

Those voting for Mr. Hargett were:

Bowen	Jackson	Patterson
Burwell	Kemp	Price
Blackwell	King	Perry
Calloway of 10th	Longley	Pitts
Calloway of 29th	Mays	Rutherford
Calhoun	Murray	Rudicil
Cates	Morris	Slater
Conley	Mathews	Sellers
Day	McLean	Stevens
Gordy	McDowell	Ward of 5th
Griffith	McCurry	Ward of 7th
Harrell	McWilliams	Womble
Harben	McCollum	Wood
Irwin	McClure	Mr. President

Upon casting up the vote it appeared that Hon. Flynn Hargett had received 43 votes, which was all

the votes cast, and was declared duly elected Messenger of the Senate for the ensuing two years.

The next business in order was the election of a Door-keeper. Mr. Irwin placed in nomination Mr. I. J. Stevens, of Coweta County, and this nomination was seconded by several.

Mr. Perry placed in nomination Mr. H. H. Stevens, of Hall. This nomination was seconded by several.

There being no other nominations, the roll was called for the election of Door-keeper, and the vote is as follows:

Those voting for Mr. H. H. Stevens were Messrs:

Bowen	Jackson	Perry
Burwell	Mays	Slater
Conley	McLean	Stevens
Day	McCurry	Ward of 5th
Harben	McClure	
Johnson	Price	

Those voting for Mr. I. J. Stevens were Messrs:

Akin	Irwin	McCollum
Blackwell	Kemp	Patterson
Callaway of 10th	King	Pitts
Callaway of 29th	Longley	Rutherford
Calhoun	Murray	Rudieil
Cates	Morris	Sellers
Gordy	Mathews	Ward of 7th
Griffith	McDowell	Womble
Harrell	McWilliams	Wood

Upon casting up the vote it appeared that Mr. Stevens, of Coweta, received 27 votes, and was declared duly elected Door-keeper of the Senate for the ensuing two years.

The following Committee was appointed to select a Chaplain for the Senate for the ensuing two years: Senators Gordy, Burwell and Stevens. This Committee selected Rev J W G. Watkins, and this selection was concurred in by the Senate.

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House of Representatives has been duly organized by the election of the Hon. Jno. N Holder, of Jackson, as Speaker, and the election of the Hon. John T. Boifeuillet, of Bibb, as Clerk, and is ready for business; and I am directed to convey this information to the Senate.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

•

The House has adopted the following Resolution, to-wit:

A resolution to appoint a joint committee of three

from the House and two from the Senate to notify His Excellency the Governor, that the General Assembly has convened and is now ready for the transaction of business.

The committee on the part of the House are as follows:

Messrs. Alexander, of DeKalb, Cook, of Thomas, Watkins.

The following resolution was read and adopted:

By Mr. Day—

A resolution notifying the House that the Senate has organized and is ready for the transaction of business.

The following committee was appointed from the Senate to notify the Governor that the General Assembly was organized and ready for the transaction of business:

Senators Day and Gordy.

The committee performed that duty

The following joint resolution was read and adopted:

By Mr. Gordy—

A resolution convening the Senate and House in joint session in the Hall of the House of Representatives tomorrow morning at 11 o'clock for the purpose of declaring the result in the election of Governor and other State House officers.

The following resolution was read and adopted:

By Mr. Callaway, of 29th district—

A resolution appointing a committee of three from the Senate and five from the House to arrange for the inauguration of the Governor-elect.

Committee on part of the Senate are Senators Callaway 29th, Rudicil 42d, Morris 18th.

ATLANTA, GA., June 23rd, 1909.

The following message was received from His Excellency the Governor, through his Secretary, Mr. Carter:

*Mr President:*

I am directed by His Excellency the Governor, to deliver to the Senate a communication in writing.

# MESSAGE.

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STATE OF GEORGIA,

EXECUTIVE DEPARTMENT,

ATLANTA, June 23, 1909.

TO THE GENERAL ASSEMBLY:

The last Legislature passed a number of Acts of lasting importance. I deem it appropriate to call your attention to some of them, as they relate to subjects you will probably consider.

## DISFRANCHISEMENT LAW

The new franchise Act, passed the Legislature by a two-thirds vote, was ratified by the people at the ballot box, and now is a part of the Constitution of Georgia.

It prescribes qualifications for the exercise of the right to vote, which will protect even the smallest community of the State from those, who, unable to control themselves, are utterly unfit to vote upon the rights of others. No legislation since the days of Reconstruction will be more beneficial in its far-reaching effects, not alone at the ballot box, but also in the solution of the race problem.

This constitutional amendment contains a provision which requires each voter to pay his taxes at least six months prior to the election at which he offers to vote, except when such elections are held within six months from the expiration of the time fixed by law for the payment of such taxes. This provision will go far toward protecting the ballot box from the presence of those who permit their taxes to be paid by others, and will help purify elections and make them more fully the honest expression of the convictions of the voters.

#### REGISTRATION LAW

In close relation to the new franchise law, is the Act providing for the registration of voters. The purpose of this Act is to prevent illegal registration, and to purge registration lists before primaries are held.

The law changes the time for registration, so that in future a man can register when he pays his taxes, and thereby qualify himself to vote during all of the ensuing year. State and county taxes are due by the 20th of December. The great body of our citizens pay their taxes during November and December. The new law requires the tax collector to open his voters' book or books at the same time that he opens his books for the collection of taxes, and the pay



ment of taxes and registration can take place at the same time.

This Act makes it a misdemeanor for the tax collector or his clerk to permit any one to sign the voters' book or slip unless the oath is actually taken, and it requires the tax collector to file with the registrars a complete list of the names on the voters' book or books within ten days after the books close.

It requires the books closed six months before the date of the election, and it requires the registrars to meet promptly to complete a correct list of the qualified voters of the county

I do not apprehend any trouble from this bill to the citizen who pays his taxes and wishes to vote from a sense of patriotic duty. This bill will make the padding of registration lists and the purchase of votes almost impossible. We desire to see our elections conducted on the highest possible plane, free from every undue influence. I confidently believe the new registration law will grow in favor as it is understood.

The Legislature passed an Act requiring each candidate to *file a statement under oath of the money spent by him in his race*, and an Act *forbidding corporations from contributing money to elections*.

## REGULATING PRIMARIES.

The Legislature also passed an Act regulating primary elections, and requiring that a primary election must be held for Governor, State House Officers, Members of Congress, United States Senators, Judges of the Superior Courts, Justices of the Supreme Court and Judges of the Court of Appeals, Solicitors-General, and members of the General Assembly, and providing that the general primary shall not be called earlier than sixty days before the date of the general State election in October.

This Act requires each voter to vote in the militia district in which he resides, and it throws other safeguards around primaries intended to still further guarantee that primaries shall be fair, honest, and *free from the control of machine politics.*

## AMENDMENT TO RAILROAD COMMISSION LAW

The new Railroad Commission Act furnishes increased facilities for the protection of the rights of the public in their relation to transportation companies and public service corporations. The Act increased the number of Commissioners to five, and greatly enlarged their duties. It placed under the supervision of the Commission express companies, street railroad companies, dock and wharfage companies, terminal and terminal station companies.

telephone and telegraph companies, gas, electric light and power companies.

While it increased a few thousand dollars the expenses of the Commission, we should consider the fact that the railroad companies alone collect from the people of Georgia forty millions of dollars each year, and that the other companies placed under the supervision of the Railroad Commission collect from the people of Georgia twenty millions of dollars, making a total of not less than sixty millions of dollars annually *The expenditure of \$35,000 a year for a railroad commission is small in comparison when the fact is kept in mind that the commission is to protect the rights of the public in an expenditure of sixty millions.*

The policy of the State should be, not to hamper the Railroad Commission in performing its duties, but to stimulate the Commission to wisely and justly guard the rights of the public, while, at the same time, it accords to the companies under its supervision absolute justice.

Five Commissioners giving their entire time to the public service would always find ample work to keep them busy

There are many things which have been accomplished by the Commission during the last two years of substantial value to the people of the State. The supervision of schedules, the requirement that trains

should make proper connections when controlled by different companies, the requirement of side tracks for warehouses and factories, action which has caused the settlement by the transportation companies of over-charges and losses; in these and in many small matters the public has felt the protection of their rights from the operation of the Commission under its enlarged powers.

#### WORK OF THE COMMISSION.

The three most important Acts of the Commission have been, first, the reduction of passenger fares, which has saved the people of Georgia nearly a million dollars a year, and, yet, has so stimulated travel that the railroads have lost little, if anything, by the reduction; second, the abolishment of the use of free passes, which has helped to sustain the action of the Commission in reducing the cost of passenger transportation to the individual who pays; and, third, the order forbidding any general reduction of employees' wages until the facts upon which the reduction is based are first submitted to the Commission.

I regret that no marked reduction of charges for freight transportation has been accomplished during the past two years. Before the Railroad Commission had finished the fight in the courts defending suits brought to enjoin the reduction of passenger

rates, the panic, which originated in New York during the summer of 1907, had reached Georgia. Loud was the complaint by the transportation companies of hard times and loss of money. Not until the early part of the present year were the full reports of the railroads for the year ending July 1st, 1908, made to the Railroad Commission. From these reports it was learned that the *wail in the spring of 1908 about heavy losses on the part of the railroads, was unfounded*. It is a source of gratification to know that the railroad companies of Georgia, even during the panic, fell but little short of their usual net profits, and suffered far less than the average railroads of the United States.

#### PORT FREIGHT RATES.

With the improved conditions of the present year, and with the knowledge of the real prosperity of the railroad companies, I brought to the attention of the Railroad Commission the importance of revising the port rates of the State. By this, I mean revising the charges for freight transportation from *all interior points* in Georgia to the ports, and from the ports to *all interior points* in Georgia.

The importance of this question grows out of the fact that practically all the railroads of the State which reach from the ports to the interior of the State, have been controlled for years by those

interested in railroads stretching North and West from the State. Water transportation costs the carrier less than rail transportation. A haul of a certain distance, partly by rail and partly by water, can be made cheapest by the carrier where the water haul constitutes the longer portion of the haul.

The control of railroads which reach the ports of Georgia, by railroads stretching North and West from the State, has caused a natural desire upon their part to divert freight from the ports, and to force it over their long rail lines. An influence has existed for years to keep the rates to and from the Georgia ports so high that transportation through the ports would be hindered, and that the long rail lines North and West would do the carrying for the people of Georgia.

The same thing which applies to Georgia with reference to the control of railroads reaching to the ports by parties interested in railroads stretching North and West, applies to the States adjoining Georgia. Our whole section has suffered a lack of the legitimate benefits of low rates which the ports of the section should give to the people.

I have urged that freight rates to and from the ports of Georgia should be fixed solely upon the basis of reasonable compensation to the local carrier, *uninfluenced by the interests of railroads outside of*

*the State. If they can be lowered and still remain reasonable and just to the local railroads, then the shippers are entitled to have them made lower. Excessive rates should not be charged shippers in Georgia to enrich railroads outside of Georgia.*

Various arguments have been presented to meet the demand for lower freight rates to and from the ports of the State to interior points of the State.

#### EXPENSIVE FORM OF "PROTECTION."

I will refer to but one of these arguments. It is that the high freight rates from the ports should be sustained because they increase the selling price in Georgia of certain commodities manufactured in the State, and thereby enable manufacturers to increase their profits. This argument applies to very few factories, and the State cannot be enriched by high freight rates intended to make a protective freight tariff for a few factories at the expense of buyers.

Why should many people be required to pay more than a fair price for what they have carried by railroads to help a few manufacturers grow rich?

Take as an illustration cotton ties. *Should all the farmers of the State pay more for their ties, to help make profits for one plant in Georgia which manufactures cotton ties, especially when that plant does*



*not manufacture one-tenth of the cotton ties used in the State?*

The action of the Railroad Commission on the 18th inst., in declining any reduction in rates from the ports on the commodities then under consideration was a great disappointment. Messrs. Candler and Hillyer ably supported reductions but the three other commissioners decided against them. My confidence in the justice of lower port rates is not shaken. They must eventually be forced by the commission to the great benefit of the people of the State.

#### INCREASED RATES FROM THE WEST

In the fall of 1908 the railroad companies increased the rates from Western points into Georgia. I promptly called this fact to the attention of the Commission, and urged the Commission to bring it to the attention of the Interstate Commerce Commission, that the increase of rates might be forbidden. The Georgia Railroad Commission, after some delay, condemned the increased rates, and instructed action before the Interstate Commerce Commission.

The City of Cincinnati, also affected by this increase of rates, has joined in the fight before the Interstate Commerce Commission. I confidently believe the increase of rates referred to will be set

aside, and it is entirely probable that rates even lower than those put into effect before the increase last fall will be given to our State. *For the part Georgia takes in this fight, our people are indebted to Commissioners Hillyer, Hill and Callaway.*

#### ABOLISHING CONVICT LEASE SYSTEM.

Among the important questions before the last Legislature was the disposition of felony and misdemeanor convicts. A bill upon this subject had passed the House at the second session, and was pending before the Senate. Under this bill another lease of convicts would have been inevitable.

It was apparent that the Senate could not, with proper deliberation, consider this question, and also dispose of the other legislation before it. I, therefore, urged upon the Senate the advisability of postponing action upon the convict question, and of leaving it for an extra session. The Senate took this course, and I called the extra session.

At the extra session a bill was passed which has resulted in putting an end to the convict lease system, which had been forced upon the State immediately after the war, *in part by a provisional government, and, in part, by a Legislature controlled by a Republican majority.*

It gives me pleasure to officially notify you that under the Act passed last fall, all the convicts except

the women, the infirm men and juveniles, are now at work upon the public roads of the State.

#### EXTENSIVE GOOD ROADS MOVEMENT.

As a result of placing the convicts upon the public roads an enthusiasm has been aroused throughout the entire State for good roads.

I cannot too strongly express my conviction of the blessings that may come to our people from good roads. Georgia depends in great part upon agriculture for the prosperity of her people. Good roads will remove the isolation of rural life. They will help social life and place schools, churches and county sites in close touch with the farmers. They will lessen the expense of private transportation. They will help to build the State materially and add immensely to the happiness of the people.

#### CHANGE MANAGEMENT OF CONVICTS.

There are features of the bill which are not in the most desirable form. With the convict lease system abolished, there is less to be done by the Commission, and one capable man at the head of your penitentiary system would be of far more use than three Commissioners.

If the Legislature would create a Board, consisting of the Governor, the Attorney General and the Commissioner of Agriculture, to be known as

the Board of Supervision of the Convict System of the State, and give them authority to elect a supervisor of convicts and of roads, at a salary which would command the services of a man of marked executive ability, this would be a great step to improve the management of the system. He should have an efficient bookkeeper and a stenographer to handle his office work. He should have two or more assistant engineers to act as supervisors of camps and to aid local authorities in handling their road problems.

#### STATE FARM.

I have visited the State Farm at Milledgeville. You have there 4,200 acres of land. The whites and the negroes are substantially in the same quarters. The white and the negro women are in the same building. The white and the negro boys are at the same reformatory. The land is ample and the whites and blacks should be entirely separated.

As a plan of management for the State Farm, I would suggest a General Superintendent for the entire Farm at a salary of \$1,500 a year, with an assistant superintendent in charge of each of the separate quarters. One competent bookkeeper should keep separate books for each of the institutions.

A system of requisitions for supplies from each

of the superintendents on the General Superintendent, and a system of separate accounting for the sales from each of the localities, would make a check upon the different officers, and furnish a plan by which the entire enterprise could be put upon a business basis.

#### MANAGEMENT IS BAD.

*Conditions at the Farm can be improved and expenses decreased.* I regret to say that the management of the Prison Farm has been bad. From the Prison Commission on down to the Superintendent, it has lacked that method and system which is necessary for the best results. Purchases and sales have been made without proper records and without check on purchases or sales. Too many men are there on salaries. I found to my surprise during the month of May that bills for supplies for the Farm had been left unpaid during 1907 and 1908, and that money which I was drawing from the appropriation for 1909 was being used by the Commission to pay debts contracted in prior years. I employed expert accountants to examine the books, both in the office of the Commissioners and at the Prison Farm. The report of these expert accountants I hand you for the use of the Chairmen of your Committees charged with the consideration of the convict system.

## IMPROVE REFORMATORY.

I desire especially to urge an improvement of the reformatory. I do not mean to criticise the managers of the reformatory, but the scope of their work has been limited and their opportunities curtailed. The white reformatory, as a result of the Juvenile Court Bill passed last summer, should contain many boys who have committed no crime, but who should be sent to the reformatory to protect them from the danger of crime. The white reformatory should give an opportunity for the devotion of one-half the time of the boys there confined to mental development and to the study of books, and only one-half of their time should be given to manual labor. Such an institution properly organized and managed would not prove very expensive, and would be a great blessing to the boys there confined.

## PARDON OF CONVICTS.

You will find in my report the names of a large number of convicts who have been pardoned since the last session of the Legislature. This large number has been due in part to the fact that the legislative investigation of the convict system brought to light many meritorious cases, which, in my judgment, had been neglected but which called for the exercise of the pardoning power by the Chief Executive.

As a rule, I have pursued the policy of investigating a case, especially with reference to those things which had developed since the trial of the convict. Subsequent evidence which threw light upon the question of guilt or innocence; the worn out condition of the convict caused by his service in the penitentiary; injuries received by the convict while in the penitentiary; special service rendered by the convict while in the penitentiary; these and similar facts, not before the judge and jury at the time of trial, have largely influenced my exercise of executive clemency.

I have also been much influenced by the recommendation of presiding judges who have advised that under existing circumstances arising since the time of sentence, commutation to present service or pardons should be extended to convicts named. I regard the expression of such an opinion by a presiding judge as really a judicial opinion, and of more value than the opinion of a pardon board. I believe it would be well, by statutory enactment, to make it the duty of a judge to furnish the Governor, when called upon, his opinion as to the advisability of extending executive clemency.

A parole bill was passed at the extra session of the Legislature, and I believe it is working well, although I would favor a more liberal use of the power of parole.



## USE OF PARDON POWER.

With 5,000 convicts in the State, most of whom are negroes, an opportunity for study, differing in many respects from the ordinary problem of how to handle a criminal, is presented. The greatest effort should be made to utilize the punishment of crime for the reformation of the criminal, and to check the criminal disposition of the negroes still at large. I am convinced that clemency extended by the Executive to long term convicts, who, after serving portions of their terms, have made good records, will prove most helpful. The policy of waiting for applications for clemency, is a mistake. *Frequently those most deserving of clemency are without friends and without money, and we should see to it that they are not forgotten.*

As all the convicts are now in the hands of officers of the counties or the State, it would be a wise policy to send no convict to the State Farm on account of permanent disabilities until his condition has been fully examined, and the opinion of the county authorities obtained as to whether it would be advisable to grant parole or pardon. Instead of filling up the Farm at Milledgeville with convicts, permanently helpless from disease or other cause, in most cases, where the convicts are harmless and have friends at home who would take care of them,

it would be merciful and economical to discharge the convicts without even the expense of transporting them to the Prison Farm.

I regret that I have not had facilities for the examination of the cases of more convicts. If General Evans had been free to give his entire time to this work, with my confidence in his lofty character, his kindness and his firmness, I feel sure I could have obtained the facts upon which I would have discharged a number of additional convicts.

#### COLLECTION NEAR BEER TAX.

The extra session of the Legislature *cost the State* \$37,305.30.

At the extra session of the Legislature the near beer license tax was passed. From this Act the State has collected \$223,950.30, with \$10,000.00 to be collected in the case from Augusta in a few days. The Act is defective in that it places no duty upon any public officer to see that the tax is paid. It provides but for the payment of a nominal license fee to the Ordinary when he issues a license. The Ordinary is paid nothing for collecting the tax, and it is not made his duty to see that those liable for the tax actually take out licenses. If this near beer tax is to remain a part of the policy of the State, the collection of the tax should be placed upon the

Tax Collectors, and the usual fees should be allowed them for doing the work.

In the absence of any officer of the State upon whom the responsibility for enforcing the collection of these taxes rested, the Comptroller General of the State and the Attorney-General have joined with me in performing the duty, and much time has been given by each of us to an effort to enforce collections.

#### PURCHASE OF FARM.

In connection with the money collected from the near beer tax, let me call your attention to the provision of the bill which authorizes the purchase of one or more farms upon which convicts can be worked. After it was apparent that the near beer tax would furnish ample funds, the Prison Commission determined to purchase a farm and place the white convicts upon it. The law required that the farm selected by them should meet the approval of the Governor.

They recommended a farm, which, after careful examination, I was satisfied was unfit for the uses intended, and I, therefore, disapproved the selection. The Prison Commission has not since suggested another farm.

As it is apparent that a large number of the white convicts can be used in the various counties, it is my opinion that it will not now be necessary to pur-

chase an additional farm. A part of the farm at Milledgeville can be used for those white convicts who can not be employed by the counties.

You have, therefore, in the Treasury, nearly \$225,000 which was set aside for the development of the penitentiary system, which will not be required for that purpose. I suggest that an Act be passed turning the near beer money into the Treasury to be used at once for the payment of amounts due to teachers.

The money derived from the sales of products raised at the Farm is not now turned into the Treasury, but can be used by the authorities to meet the expenses of the Farm. *Properly managed, the Farm should be largely self-supporting.*

The appropriation of \$150,000 for the penitentiary department for the present year should be reduced so that for the last six months of the year only a small portion of this amount would be used.

#### PROHIBITION LAW

The measure which many consider the most important passed by the Legislature of 1907, was the State-wide Prohibition Law. At the time of the passage of this bill it was generally supposed to apply, not only to intoxicating drinks, but to malt liquors of all kinds. A decision of the Court of

Appeals construed the Act to apply alone to intoxicating drinks.

The law, as a whole, has been well enforced throughout the State, and except in a few of the cities, its enforcement has been most satisfactory. Even in nearly all of the large cities vigorous efforts are made by the local officers to prevent the violation of this law. I believe the passage of State-wide prohibition legislation in Tennessee and Alabama will substantially aid the enforcement of the law in Georgia, and if Florida and South Carolina also adopt State-wide prohibition, the difficulties of enforcing the law will be still further lessened.

#### APPROPRIATIONS AND FINANCES.

The largest appropriations to education in the history of the State were made by the last Legislature. When we recall the fact that not only these appropriations, but also the appropriation of \$100,000.00 to build a State College of Agriculture, under the terms of the bill passed in 1906, were to be paid in 1907 and 1908, and the further fact that none of this money had been paid until after July 1, 1907, the amount set apart for educational purposes, which was to be paid out by the administration from July 1, 1907, to January 1, 1908, *seemed almost more than the Treasury could meet.*

In addition to this, the pensions for 1907 had not

all been paid on July 1, 1907. There was a deficiency in the appropriation which required the payment of \$42,500 for pensions for 1907 to be made after July 1, 1907.

The last Legislature increased the appropriation for Public Schools for 1908 \$333,000.00. It provided for the support of the State College of Agriculture and also for the support of the eleven District Agricultural Schools. *The amount paid for common schools and educational institutions during 1908, as compared with 1906, was increased \$600,000.00, and the appropriations for the charitable institutions were also increased.*

In spite of these increased appropriations, and in spite of the fact that the sale of liquor was forbidden, causing a loss of revenue of nearly \$250,000 in 1908, all appropriations were met, and the Treasury today is in a better condition than on July 1, 1907, for more has been paid up to the present time upon the appropriations for 1909 than had been paid by July 1, 1907, upon the appropriations for 1907, and more money is now in the Treasury than was in the Treasury when the Legislature met in 1907.

There was in the Treasury on June 30,

1907 ----- \$375,596.00

There is in the Treasury at the present

time, (June 19, 1909,) ----- 519,632.87

## NO DEFICIENCY IN THE TREASURY.

I state these facts so fully that your minds may be relieved from the inaccurate publications that have been circulated throughout the State claiming that there was a deficiency in the Treasury. These inaccurate publications dwelt upon the loss of money from convict hire, but failed to mention the fact that while the Treasury no longer receives the money from convict hire, it no longer has to pay out that fund, as the counties receive the convicts instead of receiving the money from their hire.

These estimates of a deficiency also failed to take into account the fact that during the last two years railroads and public service companies have been compelled to pay much more nearly upon the actual value of their properties than in previous years, and the further fact that the individual property holders of the State have returned their properties at increased valuations.

One element of increase of revenue to the State came from the fact that the tax rate was fixed at five mills in 1907 and 1908 instead of at 4.8 mills. The small additional burden which this increase of two-tenths of a mill placed upon the public can be fully appreciated when we realize that two-tenths of a mill is only twenty cents upon a thousand dollars, or one dollar upon five thousand dollars, so

that the increased burden of taxation on account of this increase in the rate only amounted to one dollar on every five thousand dollars upon which the individual citizen paid taxes.

#### HOW REVENUE WAS EXPENDED.

The total revenue of the State last year amounted in round figures to \$5,000,000.00.

*It should be a source of gratification to the public that over nine-tenths of this entire revenue was devoted, not to the expenses of administration, but to education, pensions, and to institutions organized for the immediate benefit of the people themselves.*

Last year the State paid out for  
Common Schools-----\$2,206,000.00

For the State College of Agriculture  
and the District Schools----- 205,000.00

For other educational work, including  
the Academy for the Blind, the Normal  
Schools, School for Deaf and Dumb, the  
Technological Institute, the University,  
the Summer School, the North Georgia  
Agricultural College, and for work of  
the same class----- 375,000.00

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Thus making a total expenditure for  
education by the State of Georgia in  
1908 of----- 2,786,000.00



The State paid out last  
year for Pensions and for  
the Soldier's Home-----\$958,000.00

For the Georgia State  
Sanitarium ----- 405,000.00

On interest and princi-  
pal of the Public Debt of  
the State----- 401,000.00

-----\$1,764,000.00

-----  
\$4,550,000.00

The remaining revenue of the State was used, at least in part, for expenses disconnected with the civil establishment and matters of government, such as the State Board of Health, the Geological Survey, the Agricultural Department, and in various lines intended to serve the public.

While it is the duty of the Governor to aid in directing the finances of the State, I desire especially to express my appreciation of the valuable services rendered the State by the able and faithful Comptroller-General, the Honorable William A. Wright. If the Legislature would create the office of Tax Investigator, to be appointed by and placed under the direction of the Comptroller General, such an officer, giving his entire time to delinquent taxes, would earn for the State many times his salary.

There is due the State by the A. B. and A. Rail-

road Company \$28,394.20 for taxes, payment of which has been delayed on account of the fact that this road is in the hands of a receiver. It will be paid in a few days. There is also due the State \$11,871.08 paid to the Neal Bank by the tax collector of DeKalb county which should be paid during this or next month.

During the last two years disputed tax claims against the Georgia Railroad and the Central of Georgia Railroad Company, for taxes due by them upon stock which they hold in the Western Railway of Alabama, have been settled, and from these settlements the State has collected over \$100,000.

There is pending before the Supreme Court of the United States a case to which the State is a party, which involves the liability of the Georgia Railroad and Banking Company for taxation. I have great confidence in the merits of the case. This railroad company has been practically exempt from taxation.

If the State sustains its contention in this litigation, all, or a large part of the railroad property, will be subject to taxation, just as the property of other railroad companies in the State. A sum amounting to several hundred thousand dollars would be collected for back taxes, and a permanent increase should be made in the income of the State amounting to about \$40,000.00.

## EDUCATIONAL INSTITUTIONS.

The educational work of the State has made splendid progress during the past two years. The University, the State College of Agriculture, and most of the District Agricultural Schools, have done excellent work. The State Normal School, the North Georgia Agricultural College and the Academies for the Blind and the Deaf, have fully merited the appropriations made to them.

I wish especially to commend the splendid work of the Normal and Industrial School at Milledgeville. It cannot be too highly praised.

In the division of revenue for the last two years, special appropriations have been given to most of these institutions.

The Technological Institute did not receive the same increase that was given to other institutions, and I feel justified in stating that it was contemplated by those prominent upon the finance committee of the House during the last session of the Legislature, that a special recognition by an increased appropriation would be made during the present summer to advance the progress of the Technological Institute. This institution is doing a great work to fit the young men of Georgia to develop the resources of the State, and their work

will not only be helpful to themselves, but to all citizens.

### COMMON SCHOOLS.

I come now to the Common Schools, the great backbone and foundation of our educational system. These schools have not only received more money, but they have done better work during the last two years than at any previous time. The average common school term for 1908 increased from 115 days to 132 days. It was accomplished, not alone by the increased appropriations from the State, but also by the co-operation and financial assistance of the people themselves, showing that the people are becoming eager and solicitous that all the children shall have the best possible opportunities for self-improvement.

*The theory that the negro children are rushing to school and that the white children are neglecting to use the advantages given them is also without foundation.* The increased attendance of white children last year was one per cent. The increase of negro children was three-fifths of one per cent.

Seventy-nine per cent of the white children are in schools. Only 58 per cent. of the negro children are in schools. While the figures show only 79 per cent. of the white children in school, when we take into consideration the fact that a considerable pro-

portion of the white children of school age complete their public school work before they are 18 years old, and are engaged in study in higher institutions of learning, the State School Commissioner estimates that 93 per cent. of the white children of Georgia to-day are receiving an education. I agree, however, with the State School Commissioner that we must reach out for the other 7 per cent., and that the future of our State requires that no illiteracy should be among the white children.

*I do not mean any unkindness towards the negro child by this discrimination, but I do not believe that instruction from books, except of a simple character, is of benefit to a considerable portion of them.*

As I suggested in my former message, the County Boards of Education should control the character of schools furnished in their counties. Education should fit for life with a view to the character and possibilities of the children. The difference between the two races should be recognized by the County School Commissioners, and they should not hesitate to do so *on account of the maudlin criticisms that may come upon them from certain classes of would-be philanthropists of other sections who do not understand the true relations of the races.*

I have no hesitation in avowing my deepest concern in our educational work for the Common Schools of the State, but the real friends of these

institutions must recognize that you cannot have good common schools without good teachers, and you cannot have good teachers made simply by the educational work done in the common schools. It is absolutely necessary that the State sustain a system, broad at the bottom, furnishing ample opportunity in the common schools, but high at the top, furnishing through high schools, normal schools, colleges and university work, preparation which will fit men and women in Georgia for the work of conducting the common schools, and all the educational institutions of the State.

It would be a mistaken policy to take from your other institutions the money they require, and give your educational money exclusively to common schools. At the present time you have not a sufficient number of well trained teachers for your common schools, and unless you encourage your higher institutions, that more well trained teachers may be developed, you cannot make progress with your common schools.

#### PROMPT PAYMENT OF TEACHERS' SALARIES.

The improved condition of the schools during the past year was in part due to the fact that the teachers were so much more nearly paid as their salaries were earned than had been the case in prior years. The difficulty in handling the finances of the

State grows out of the fact that taxes on property are all due in the fall, and are paid in November, December and January. During the other nine months of the year portions of the revenue of the State are collected, but not sufficient to meet the expenses of the State during those nine months.

It is, therefore, necessary to save part of the taxes collected in November, December and January of each year to meet the liabilities of the State during the succeeding nine months. There has been an accumulation in the Treasury of money for this purpose, but not sufficient to pay in advance the pensions, and also to meet the appropriations to the common schools as the work is performed by the teachers.

Last year, under the quarterly system of paying pensions, the amounts due the teachers were met practically as the service was rendered by them.

#### INCREASE TEMPORARY LOAN.

The Constitution of the State permits the Governor to make a temporary loan not to exceed \$200,000.00 to meet a casual deficiency in the Treasury. This provision was placed in the Constitution in 1877, when the amount of revenue and appropriations was small compared to the present time. Temporary loans are made during the portions of the year when collections by the State are

small and are always paid as soon as property taxes are collected.

Last year I called attention to the fact that if quarterly payment of pensions was abolished the Constitution should be amended so as to increase the amount of temporary loan which the Governor could make to \$600,000.

Teachers salaries are a current expense of the State, just as pensions are a current expense of the State, and there is no reason for paying the pensions in advance, and deferring the payment of the teachers' salaries. If the pensions were paid semi-annually, half in the early spring and half in the late fall, it would no longer be difficult to meet appropriations to pensions and to teachers as each fell due.

I believe it advisable to give the Governor the authority to make a temporary loan of \$600,000 instead of \$200,000. A \$600,000 loan now, in view of the increased business of the State, would not be greater than a \$200,000 loan in 1877, when the Constitution was adopted.

It has never been the policy of the State to create a bonded indebtedness to meet current expenses. On the contrary, it has been the steadfast policy of the State to reduce its bonded indebtedness through current revenue. If the State were making a large investment an issue of bonds could be legitimately



made for that purpose, but an issue of bonds to meet current expenses is dangerous and unwise.

#### SELL GOVERNOR'S MANSION.

The Governor's Mansion is now located in a business section of the City. It is becoming constantly more and more noisy and less adapted for home use. Before the end of the next two years it could be sold at probably over \$200,000. \$25,000 would be sufficient with which to buy a Mansion really more suited for a home than the present Governor's Mansion. By using the balance of this money to pay the interest on the public debt, the surplus in the Treasury could be increased.

#### NEAR BEER TAX.

The near beer tax, amounting to \$225,000, is now in the Treasury, available upon an Act of the Legislature to be immediately paid upon amounts due teachers, and I have recommended that it be so appropriated.

The collection of what is due to the State, coupled with care about appropriations, and sound business judgment applied to the management of the State's affairs, should make it not difficult to successfully handle the finances of the State in the future.

TAXES DUE BY WESTERN AND ATLANTIC RAILROAD  
LESSEES.

I have given, together with the Attorney-General, and employed counsel, considerable time to the investigation of the liability of the lessee of the Western & Atlantic Railroad to the State for taxes. It has paid nothing upon personal property, and yet, we are satisfied that most of the time since the lease, it used a large amount of personal property subject, under the contract of lease, to taxation.

We examined the statements filed in the Governor's office by the company, and sought to have them perfected to obtain the information required. Much delay was caused by correspondence with the lessee, and for this reason legal procedure by the State was thus postponed. Suit has, however, been instituted against the lessee for the amount due by it upon personal property, and also for taxes due upon income.

I am of the opinion that from this suit the State should recover a large sum of money as back taxes, and increase the State's revenue permanently in future.

SUIT FOR PROPERTY IN CHATTANOOGA.

We have also had under consideration the claim of the State for property amounting to over eight

acres now in the possession of the Nashville and Chattanooga Railroad Company in Chattanooga. The property was conveyed by the Governor to the Nashville and Chattanooga Railroad Company in 1860 for the sum of \$8,000 and less than an acre of land. It is now worth a very large sum, just how much it is difficult to say, *certainly more than a million dollars* (\$1,000,000.00.)

In 1896 Hon. W. A. Wimbish, then special counsel for the State, called attention to the fact that the legal title to this property was still in the State, and *that the conveyance made in 1860 was unauthorized*. The Chancery Court of Tennessee has held that the conveyance passed no title from the State of Georgia to the Nashville and Chattanooga Railroad Company. Probably the only question now involved is the statute of limitations and the statute of limitations should not be held to run against the State. A suit could be instituted for the property in the Supreme Court of the United States and the rights of the State be there determined. The Legislature in 1896 authorized the special counsel to arrange for a submission of the claim of the State to this property to the Board of Arbitration which had been considering other claims of the State. The Railroad Company declined to submit the matter to this Board of Arbitration. Litigation was pending at the time in Tennessee, in which it was believed that the title

of the State would be passed upon, and no suit was at once brought by the State to recover the property. The Chancery Court expressed the opinion that the deed made in 1860 was unauthorized and passed no title out of the State.

The facts were all presented again to the Governor and the Legislature by Special Attorney Wimbish through his report in 1898. Mr. Wimbish at about that time ceased to be special counsel for the State, and a legislative committee reported the facts to the Legislature, but no action took place authorizing the suit. Had the subject not been before the Legislature I would have exercised the authority of directing a suit for the property. As it is, I bring the matter to your attention and *recommend that suit be brought for this property.*

#### PURCHASE OF YARDS AT CHATTANOOGA.

The Legislature, at its last regular session, passed a joint resolution authorizing the Governor to ascertain what lands in or near the City of Chattanooga were desirable and available for terminal purposes for the Western & Atlantic Railroad, either for switching or delivery purposes, and to procure options thereon for the benefit of the State, if, in his discretion, advantageous terms could be obtained.

In pursuance of this resolution, I secured the assistance of Hon. Paul B. Trammell, who visited

Chattanooga without disclosing the real object of his visit, and, through real estate agents of that city, secured two options, one upon 40 acres of land at the price of \$1,000 an acre. This option was given to Frank T. Reynolds and by him transferred to the State. The option is good for 90 days and was given for the nominal sum of \$10.

Alongside of this 40 acres there was another tract of 30 acres, which was offered for an immediate sale at \$500 an acre. This price was considered low for the property, but the party declined to give an option. Mr. Trammell finally secured this option lasting for 60 days, for the consideration of \$200.

The options, therefore, cover 70 acres of land lying broadside along the Western & Atlantic Railroad, well adapted to yard purposes. Property in this vicinity is quite in demand and is increasing rapidly in value. If the Western & Atlantic Railroad were owned by a private corporation I have no doubt the property would be purchased. I believe it advisable for the State to use both of these options and to buy both tracts of land. I think it would be a great mistake if the State did not take advantage of that option, which is at only \$500 an acre.

The terminals of the Western & Atlantic Railroad are now almost in the center of Chattanooga. The people of that city are very desirous to extend Broad Street through the Western & Atlantic terminals.

If yards were purchased for the Western & Atlantic Railroad further away from the center of the city under the options I herewith present to you, and Broad Street was extended, the property of the State in Chattanooga not now claimed by the Nashville & Chattanooga Railroad Company and not required for terminals, could be leased for business purposes at a price almost equal to one-half of the entire present rental of the Western & Atlantic Railroad.

The present lease of the Western & Atlantic Railroad expires in about eleven years. Although this seems a distant period, still, the State cannot afford to neglect giving that attention to its business interests in connection with this property which will insure its greatest value.

#### USE OF THE W & A. BY THE L. & N.

In connection with the Western & Atlantic Railroad, I also desire to call your attention to the fact that the Louisville & Nashville operates the road under an arrangement with the lessees, the Nashville & Chattanooga Railroad Company, from Cartersville to Atlanta. It is possible that this sub-lease violates the provisions of the original lease. I have not deemed it advisable to raise this question. On the contrary I believe the interests of the State would be promoted by legislation which would pre-

vent the Louisville & Nashville Railroad Company from building into Atlanta, and which would encourage the construction of a double track upon the Western & Atlantic Railroad from Cartersville to Atlanta.

#### EXTENSION OF W & A. RAILROAD.

The legislature at the extra session authorized the appointment of a commission to consider the extension of the W and A. Railroad to deep water. The commission was appointed, but I am advised has been unable to complete its work.

#### GEORGIA RAILROAD STRIKE.

During the past month a strike by the firemen upon the Georgia Railroad resulted in a temporary suspension of the operation of this road.

The strike was caused by the discharge of white assistant hostlers, who were also firemen, in the Atlanta yards, and the substitution for the white firemen of negroes at a small reduction of pay per day, together with the recognition of seniority of negro firemen over white firemen on the main line.

During the strike there was great excitement and some trouble along the line of the railroad. I telegraphed the sheriffs and a number of the mayors urging them to be vigilant and to protect life and

property, and I kept in constant communication with the local officers of the law

The general manager of the road, Mr. Thomas Scott, was quite persistent in his demand that the Governor should take additional action with reference to the disturbance. I did not accede to his demand. *I believed the course being pursued was the wise and proper course, and could not sympathize with the reckless willingness of Mr Scott to precipitate the possible loss of life and the destruction of property.*

At my request the Attorney General went over the road to more thoroughly inform himself with reference to the conditions which prevailed. When the result of the strike began to affect the interests of the people along the line of the road by entirely suspending the operations of the road, after consultation with the Attorney General, I determined to bring the matter to the attention of the Courts, and a bill was prepared by the Attorney General to place the road in the hands of a receiver on account of the failure of the railroad authorities to operate the road.

We delayed for several days filing this bill, because we were continually assured that the strike would be adjusted. This finally took place, and it should be a source of congratulation that in spite of the intense excitement which the race issue caused



among the patrons of the railroad company, and the people along the line of the road generally, there was no serious injury to person or to property.

The settlement of the strike was made in part by agreement settling a portion of the differences and in part by reference to arbitration under the Federal Statute. In this connection I desire to suggest the passage of a law providing for arbitration of labor differences, the award to be returnable to the superior court of the county where made.

I desire in this connection to express my appreciation of the assistance which Attorney General Hart gave to me in this matter, and, also of his able and courteous co-operation in all the matters with reference to which I have called upon him during the past two years.

#### OTHER INSTITUTIONS.

The last Legislature passed an Act providing for the establishment of a tuberculosis sanitarium, to be controlled by trustees named by the Governor. I appointed the trustees and they are now at work with a view to carrying out the provisions of the Act.

The last Legislature enlarged the appropriation to the State Board of Health, and I wish to commend the work which has been done by that Board in the line of enlarged usefulness to the people of the State. Vaccine points, antitoxin for diphtheria and

meningitis have been distributed free to the people. Patients suffering from bites by animals with hydrophobia have been treated with great success. Much has been done to extend free medical treatment upon these and other lines to the people of the State. I believe the money given to this Board has been productive of much good and was wisely made.

Your State Sanitarium at Milledgeville had on January 1, 1909, 3,112 patients, handled at the small expense of 34.7 cents per day. A part of their economical management results from the intelligent manner with which the farm lands of this institution are used for the purpose of producing food supplies for the patients.

There has been some criticism of the treatment of patients at the hospital. It has come largely from discharged patients, who, at the time of their supposed mistreatment, were laboring under mental delusions.

I requested Judge Lawson, Chairman of the Board of Trustees of the institution, to name a special committee to investigate the charges, but he and the officers of the sanitarium urged that I appoint a committee of outsiders. In view of their request I designated Judge W F Jenkins, Dr. Willis Westmoreland and Hon. Seaton Grantland, who are now engaged in an investigation of the institution and the charges made against it.

The Academy for the Deaf and Dumb, and the Academy for the Blind are both being handled, so far as I can judge, efficiently by the officers charged with the duty of their management. The afflicted who fall within the care of these institutions merit assistance from the State, and I am gratified to make a favorable report upon the way in which they are operated.

The reports of the Secretary of State and of the other State House officers will be before you. Also the reports from the various trustees and boards of visitors. I commend them to your consideration.

#### DEATH OF TREASURER PARK.

Since the last session of the General Assembly the State has lost the services of Hon. Robert Emory Park, who filled the office of Treasurer from October 27, 1900, until the day of his death, May 7, 1909. In co-operation with the Comptroller-General, I designated auditors to examine and report upon the condition of the Treasury. It gives me pleasure to inform you that the audit of the books of the Treasury showed the money and other assets of the State properly accounted for.

On May 11, 1909, I appointed Hon. J. Pope Brown to hold the office of Treasurer until his successor is elected and qualified, and he is now performing the duties of State Treasurer.

The annual salary of the State School Commissioner is only \$2,000.00. I urge that the State Board of Education be authorized to pay him as its Secretary annually \$1,000.00. I know that he holds the office at a financial sacrifice. His valuable services should be recognized.

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#### ASSISTANT ATTORNEY GENERAL NEEDED.

The work of the Attorney General's office has greatly increased in the past few years. He is constantly called upon by State House officers, and county officers throughout the State, for opinions upon matters pertaining to the administration of the affairs of the State. His time is taxed to such an extent that he has not the opportunity which I know he desires for the quiet investigation of the larger problems and more important cases that he is required to handle.

An Assistant Attorney General could relieve the Attorney-General of many details, and I suggest that he be allowed to employ an assistant at the salary of \$2,000.00 annually.

#### FREE AGRICULTURAL PRODUCTS FROM TAXATION.

I urge the passage of a Constitutional amendment which will free the agricultural products of Georgia from taxation for twelve months from the time that

they are gathered. The amount collected by the State from the taxation of agricultural products last year was only \$15,628.50. It has not averaged that amount.

My reason for urging this amendment is on account of the fact that cotton furnishes the great basis for the prosperity of the State. The sale of this crop at a good price enters into every vocation of life, and helps to bring prosperity, not alone to the farmer, but to the merchant, the professional man and the mechanic.

Cotton will only bring its legitimate value when it is sold from time to time by the farmers as the manufacturers need it for use. It is gathered in the fall and everything possible should be done to encourage an abandonment of the policy of at once throwing it upon the market and by its own presence depressing its market price.

Taxes are assessed during the month of March, and this causes an inducement to sell cotton at that time. The relief of this great staple from taxes for twelve months will facilitate the mode by which it is handled and sold. Its effect will be so generally beneficial that all classes will derive advantage from it.

#### PROTECTION OF RAILROAD EMPLOYEES.

In a former Message I urged that it was unjust to free railroad corporations from liabilities in those

cases defended upon the ground that the injured employee knew of the negligence of the company, and assumed the risk of such negligence.

An employee often knows of a defect known also to his superior officer. The rule which would deprive him under such circumstances of the right to recover is hard. I suggest legislation to do away with it.

On April 22d, 1908, an Act of Congress of the United States was approved, known as the employers' liability Act. It enlarged the rights of employees of railroad companies to recover for injuries when employed upon trains engaged in interstate commerce. I suggest that this right of recovery be extended to employees of railroad companies when engaged in intrastate work.

#### PARK AT GRIFFIN.

The State owns at Griffin a large tract of land used at one time for a State military encampment. Changed conditions have caused its use to be discontinued and it is entirely improbable that it can be again used for that purpose. This land was largely a gift by the people of Griffin. Their money is gone and the encampments no longer take place. I understand that they desire to use the land as a park. I recommend that permission be given the mayor and city council of Griffin to use it as a park.

In conclusion, I invite an investigation of the record made by our State during the past two years. While other States suffered greatly by the panic, Georgia suffered but little in comparison.

With \$250,000 of taxes cut off by State-wide prohibition, the revenue of the State increased and the increase went chiefly to the work of education.

The new laws mark an era in the State's history, not in the number of Acts passed, but in their importance and value to the public.

May fidelity to public trust and loyalty to the great body of the people, free from the influence of special interests, ever mark legislation and administration in our beloved State.

HOKE SMITH,  
Governor.

APPENDIX A.

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In accordance with the requirements of Section 5815 of the Code I herewith submit report of all reprieves, commutations of sentences and pardons granted during the past year.

## PARDONS GRANTED.

CLYDE SPARKS.—Simple Larceny. City Court of Atlanta, March term, 1908. Sentenced to Reformatory. The boy was only twelve years old, and since his conviction facts have developed which strongly tend to show that another party committed the crime. Granted July 9, 1908.

FRANK CLEMENTS.—Simple Larceny. City Court of Savannah. Sentenced to the State Reformatory. The judge and solicitor who officiated at the trial recommend that he be pardoned in order that he may be taken to St. Mary's Industrial School for Boys, at Baltimore. Granted July 17, 1908.

JAMES PARKER.—Stealing a ride on a railroad train. April term, 1908, City Court of Hall county. Four months in the chaingang. He was a young white boy, seventeen years of age, away from home



and committed the offense in an effort to return Unable to do hard work on account of bad health. Had served most of his term. Granted August 3, 1908.

M. J. MOODY.—Voluntary manslaughter. October term, 1906, Superior Court of Tattnall county Ten years in the penitentiary Newly discovered evidence creates great doubt as to his guilt. The twelve jurors who convicted him and 1,000 citizens urge his pardon. Granted August 13, 1908.

R. S. Cox.—Assault to murder. September term, 1902, Superior Court of Fayette county. Five years. He has served three years, and the trial jury, the presiding judge, the solicitor-general and county officials recommend pardon. Granted September 8, 1908.

WALTER J WHITE.—Murder. Spring term, 1906, of the Superior Court of Fulton county Life imprisonment. He was convicted on circumstantial evidence, and there is grave doubt as to his guilt. The trial jury recommend pardon upon the ground that if certain witnesses had been sworn and testified to facts as stated in their affidavits, they would have acquitted the defendant. Granted September 10, 1908.

W. S. MELL.—Voluntary manslaughter. December term, 1900, Superior Court of Chatham county. Twenty years in the penitentiary. He has served eight years with good conduct, and his pardon is recommended by many good citizens of Chatham county, including county officers and members of the legislature. Granted September 19, 1908.

JOHN IRVINE.—Stealing a ride on a railroad train. June term, 1908, City Court of Forsyth. Five months. He has served nearly four months, and the judge, solicitor and county commissioners recommend pardon. Granted September 19, 1908.

R. F. GILL.—Forgery. Fall term, 1905, Superior Court of Chatham county. Seven years. Since his imprisonment he has lost both a leg and an arm, and his conduct has been exemplary. Granted September 19, 1908.

J. C. CARTER.—Felony. May term, 1904, Superior Court of Lowndes county. Ten years in the penitentiary. The presiding judge and the judge who rendered the opinion on the case in the Supreme Court say that a new trial should have been granted in this case and a verdict of not guilty on the next trial rendered. He has served four years with good conduct. Granted September 19, 1908.

CHARLES B. PATTON.—Murder. Fall term, 1886, of the Superior Court of Whitfield county. Life imprisonment. He served twenty-two years with good conduct and is now fifty-seven years of age. The party who was jointly convicted with him was pardoned about ten years ago. The evidence tended to show that he was only an accessory after the fact. Granted September 25, 1908.

FREDDIE CAIN.—Larceny. July term, 1908, City Court of Atlanta. Six months in jail. He is a young white boy, and his mother, who is a widow, needs his help. The judge and the solicitor recommend the pardon. Granted October 1, 1908.

JANE CHAPMAN.—Murder. November term, 1880, Superior Court of Wilkes county. Life imprisonment. She is sixty-five years of age, and for twenty-eight years has been a faithful prisoner. Granted October 20, 1908.

• MATT VINSON.—Murder. Fall term, 1875, of the Superior Court of Bibb county. Life imprisonment. She is sixty-eight years of age and had served thirty-three years with good conduct. Granted October 20, 1908.

OSCAR PITTMAN.—Carrying concealed pistol. September term, 1908, County Court of Morgan county.

Sentenced to pay a fine of \$50.00 or eight months. The judge and solicitor recommend his pardon for the reason that he has been sufficiently punished. Granted October 22, 1908.

OSCAR CRAMER AND AUGUST KOART.—Stealing a ride on a train. City Court of Griffin. \$25.00 each or four months. They were strangers and unacquainted with the laws of this State. Pardon recommended by the presiding judge and the county commissioners. Granted October 22, 1908.

WILLIAM BILLUPS.—Murder. April term, 1893, of the Superior Court of Floyd county. Life imprisonment. He is more than seventy years of age and has served about fifteen years with good conduct. Granted October 22, 1908.

MCD PAULK.—Voluntary manslaughter. October term, 1902, Superior Court of Berrien county. Twenty years in the penitentiary. The deceased was killed with his own pistol, which tends to show that he was the aggressor. The family of the deceased join in the request for pardon, which is also recommended by the trial jury, county officials and many citizens. Granted October 23, 1908.

ALEXANDER HARGILL.—Murder. Spring term, 1898, Superior Court of Jackson county. Life imprison-

ment. The evidence was circumstantial except that of a negro gambler. The jurors who convicted him, one of the prosecuting attorneys and many citizens urge his pardon. He has served about eleven years with good conduct and is said to have Bright's disease and muscular rheumatism. Granted October 24, 1908.

THOMAS W ALEXANDER.—Embezzlement. October term, 1906, of the Superior Court of Richmond county. Six years. He plead guilty, while disclaiming criminal intent. His pardon is recommended by the judge who sentenced him, by all the judges and ex-judges residing in the county, by all the grand jury finding the indictment, by the members of the bar, by every official of the county and the city, by the police commissioners, by the members of the legislature and about fifteen hundred citizens. Granted November 6, 1908.

J. S. PARK.—Voluntary manslaughter. April term, 1906, of the Superior Court of Pike county. Four years. He was convicted on evidence that did not entirely remove all doubt of his guilt. Since his imprisonment his arm has been crushed while at work. The jury that convicted him, the grand jury that indicted him and many citizens urge his pardon. Granted November 25, 1908.

THOMAS C. BURCH.—Murder. Spring term, 1905, of the Superior Court of Wilkes county. Life imprisonment. The defendant at the time of the killing was in a mental state which made him irresponsible for the act that he committed. His pardon is recommended by the brother of the deceased, by the trial judge, citizens and officials of Wilkes county and Richmond county. Granted December 16, 1908.

WILLIAM A. NORVELL.—Attempt to murder. January term, 1908, Superior Court of Richmond county. Two years in the penitentiary. Certain important facts, which were not presented at the trial, show that the defendant acted in self-defense in killing the deceased, a negro. The deceased was an extremely lawless and violent negro. His pardon is recommended by the trial jury, court officers, the judge of the city court and many prominent citizens. Granted December 16, 1908.

JOHN T. DORSEY.—Voluntary manslaughter. July term, 1906, of the Superior Court of Hall county. Ten years. Both the defendant and deceased were intoxicated at the time of the killing. The deceased appears to have been the aggressor and struck the defendant several times before the killing took place. His pardon is recommended by judges, county officers and about one thousand citizens. Granted December 16, 1908.

TOM CHILES.—Murder. April term, 1878, of the Superior Court of Pike county. Life imprisonment. Tom Chiles and Ed Dumas were convicted on circumstantial evidence and sentenced to life imprisonment. Dumas died in 1895, stating that he did the killing, and not Tom Chiles. He has served thirty years with good conduct. Granted December 18, 1908.

H. TOM ALLEN.—Murder. October term, 1902, of the Superior Court of Hancock county. Life imprisonment. The evidence does not show that the defendant fired either of the shots by which the deceased was killed, but that they were fired by another man, who made his escape. Allen and the deceased were friends, and no motive was shown for the killing. His pardon is urged by eight of the trial jurors, the brother of the deceased and many good citizens. Granted January 7, 1909.

VELVIN TURNER AND CONRAD HOMER.—Larceny from the house. Fall term, 1908, of the Superior Court of Carroll county. Three months in jail. These two white boys are of good families and had never before committed any breach of the law. Their mothers are widows. Pardon recommended by the trial judge and solicitor and by the prosecutor. Granted January 9, 1909.

NOAH OXENDINE.—Murder. May term, 1891, of the Superior Court of Liberty county Life imprisonment. Two Croatan Indians, Oxendine and Jones, came from North Carolina and were employed on a turpentine farm. Jones bore a bad reputation and had made threats against Oxendine. An encounter occurred between them, in which shots were rapidly exchanged. It is stated that Jones fired the first shot, and Oxendine contended that he acted in self-defense. He has served with good conduct about eighteen years. Granted January 8, 1909.

JOHN HIGHLEY.—Involuntary manslaughter. June term, 1908, of the Superior Court of Sumter county. Twelve months. The killing was accidental and unintentional. He was passing through a door with a pistol in his hand and accidentally struck the pistol against the door, causing it to fire. Has served over half the sentence with good conduct. Granted January 22, 1909.

C. N. HUGGINS.—Embezzlement. Spring term, 1907, of the Superior Court of Fulton county Two years. He plead guilty, and, considering all the circumstances, the judge gave him the light sentence of two years. He has served with good conduct, and his time will expire soon. Granted February 5, 1909.



L. L. CAWLEY AND W. M. MARTIN.—Robbery. April term, 1908, of the Superior Court of Richmond county. Twelve months and a fine of \$1,000 each. They were convicted on testimony of very doubtful repute, and the jury recommended them to the mercy of the court. They protested their innocence but have suffered the sentence with good conduct. Their terms will expire in about ten days longer. Granted March 12, 1909.

MARY DILLARD.—Voluntary manslaughter. Spring term, 1902, of the Superior Court of Fannin county. Ten years. She shot a drunken man on the porch of her house under circumstances of very considerable provocation. She has served with good conduct, and her sentence will expire within about one year. The camp physician certifies that she has tuberculosis and recommends her discharge. Granted March 11, 1909.

MONROE HAMBRIGHT.—Forgery. Fall term, 1904, of the Superior Court of Muscogee county. Five years. He has served four years with good conduct. The camp physician certifies that he is suffering with malarial fever, blood poison and epileptic convulsions. He is nearly sixty years of age. Granted July 22, 1908.

KIRBY HOBGOOD.—Selling rent cotton without consent of landlord and selling whiskey. February

term, 1908, Superior Court of Campbell county \$60.00 or six months and \$75.00 or six months respectively. There was some dispute between the defendant and the landlord about some money that defendant claimed was due him, and he sold a bale of cotton for the purpose of getting his money. He had no intention to violate the law. In the case for selling whiskey it seems that about Christmas time he ordered a jug of whiskey and divided it with a neighbor. He has served all of one sentence and about two months of the other. The trial judge and solicitor recommend his release. Granted September 18, 1908.

HARRY HOLTZCLAW—Burglary (three cases). Fall term, 1905, Superior Court of Fulton county. Two years. He has almost served, with good conduct, the sentence imposed. Physicians certify that he is badly afflicted with asthma, and his release is requested by the solicitor, prosecutor, county officers and many citizens. Granted October 2, 1908.

EDDIE D. MARTINI.—Burglary (three cases). Fall term, 1905, Superior Court of Fulton county. Two years in each case. He has almost served the time for which he was sentenced with good conduct. When convicted he was only eighteen years of age. His release is recommended by the trial judge and solicitor. Granted October 2, 1908.

WILL JONES.—Burglary April term, 1908, Superior Court of Bibb county Six months in jail. He was convicted of stealing a bicycle on circumstantial evidence and has only a few weeks longer to serve. Granted November 3, 1908.

OFFIE PARKER.—Felony August term, 1907, Superior Court of Walton county. When convicted he was only seventeen years of age. The case was appealed to the Court of Appeals, and the judge rendering the opinion stated: "I gravely doubt that the defendant is guilty." His previous character was good. His release is recommended by the trial judge and solicitor, the trial jury, the grand jury and others. Granted November 7, 1908.

B. A. BRYANT.—Involuntary manslaughter. March term, 1906, of the Superior Court of Berrien county. Three years. At the time of the killing the deceased was under the influence of whiskey and made an assault on the defendant. Two reputable physicians certify that the defendant has organic trouble and cirrhosis of the liver. He has served all but seven days of his sentence. Granted November 2, 1908.

JOHN DOWNS.—Forgery November term, 1907, of the Superior Court of Bibb county Two years. He committed the offense while intoxicated. Has served more than half of his sentence with good con-

duct. The trial judge and solicitor and many good citizens recommend his release. Granted December 18, 1908.

J. H. HUGHES.—Larceny. November term, 1908, of the City Court of Atlanta. Six months. He was barely sixteen years of age when the crime was committed. This was his first offense. His release is recommended by the trial judge and solicitor. Granted January 29, 1909.

TOM JACKSON, MAJOR DEVAUGHN, TOM DEVAUGHN, JERRY WEAVER AND WILL CRANFORD.—Arson. August term, 1906, of the Superior Court of Campbell county. Five and seven years in the penitentiary. The trial judge and solicitor strongly urge their pardon on the ground that facts have developed that show their innocence. Granted April 14th, 1909.

CHARLES PIRKLE.—Murder. April term 1902 of the Superior Court of Hall county. Life imprisonment. He was only seventeen years of age and facts have developed which create grave doubt as to whether the deceased was really murdered. The pardon recommended by the trial jury, county officers and many citizens. Granted April 17th, 1909.

E. B. ALMOND.—Embezzlement. January term, 1909, Superior Court Muscogee county. Four years in the penitentiary. He made full settlement with

his firm two months before he was indicted. His pardon recommended by the grand jury, every member of the Columbus bar and several thousand citizens of Muscogee county. Granted May 5th, 1909.

EARL AINSLIE.—Burglary November term, 1908, of the Superior Court of Fulton county. Three years in the penitentiary. He was only nineteen years of age and the articles stolen were of small value. The prosecutor recommends his pardon and also the solicitor general. His previous conduct was good. Granted May 5th, 1909.

J. M. ROSSER.—Forgery August term, 1904, of the Superior Court of Spalding county. Six years in the penitentiary. He is sixty-seven years of age and has organic heart trouble. The judge who tried him recommends his pardon. Granted May 10, 1909.

A. J. GRIFFIN.—Murder. December term, 1897, Superior Court Fayette county. Life imprisonment. He was convicted on circumstantial evidence and has already served about eleven years with good conduct. His pardon is recommended by county officers, county commissioners, the present solicitor-general, the judge who tried him, the trial jury and many citizens. Granted May 10, 1909.

SION BYRD.—Voluntary manslaughter. May term, 1905, of the Superior Court of Pierce county. Seven

years in the penitentiary.' He was convicted of killing his father. On the night of the killing his father was badly intoxicated and made several efforts to shoot the boy with a gun. The boy ran out of the house and the deceased threatened to kill his wife unless she told him where the boy was. While he was thus threatening injury to his wife the boy picked up a gun on the porch and shot his father through the window. He was only seventeen years of age when convicted. His pardon is recommended by eleven of the trial jurors, the grand jurors, the solicitor general and the judge of the Superior Court. Granted May 10, 1909.

\*\*\* LENA REDD.—Escape. July term, 1907, of the City Court of Columbus. Sentenced to the State Reformatory. Some months ago she was granted a parole, Mrs. Fraser, of Atlanta, giving her employment. Mrs. Fraser says she has made a splendid record while working for her. Granted May 28, 1909.

ANNIE JOHNSON —Burglary January term, 1909, of the Superior Court of Fulton county Six months in jail. She has served about five months and during her imprisonment has been a sufferer with some female complaint combined with neuralgia. The sheriff and solicitor general recommend her pardon. Granted June 3, 1909.

W. H. HOLCOMBE.—Larceny Spring term, 1873, of the Superior Court of Rabun county. Ten years in the penitentiary. He was placed to work under the original lease act under a company then building a railroad in North Georgia. After working faithfully more than four years he was released by one of the managers of the company. He afterwards moved to South Dakota where he has since resided and he had always been of the opinion that he had served his sentence and had been regularly discharged. He is now seventy-six years of age and is very feeble and unable to work. Granted May 29th, 1909.

J. W. HART.—Burglary. Superior Court of Chatham county, September term, 1907. Three years. He is eighty-one years of age, very infirm and has not done a days work since being in prison. He has served more than half his sentence with good conduct. Granted June 5th, 1909.

TOM ALLEN.—Larceny May term, 1906, of the Superior Court of Troup county. Four years in the penitentiary. He is now sixty-seven years of age and has rheumatism and Bright's disease which incapacitate him for work. He has served more than half of his sentence. Granted June 5th, 1909.

R. M. MITCHELL.—Murder February term, 1908,

of the Superior Court of Floyd county. Life imprisonment. Since his confinement in the penitentiary he has become totally paralyzed from his waist down and is unable to move or walk. He is suffering with a complication of kidney and bowel trouble and the camp physician says that he cannot recover. His conduct has been good since being in prison. Granted June 5th, 1909.

J. M. WILSON.—Manslaughter. April term, 1901, of the Superior Court of Clinch county. Fifteen years in the penitentiary. He is now sixty-nine years of age and has served about eight years of his sentence with good conduct. His health has entirely broken down and he is now unable to work. Granted June 5th, 1909.

JAMES WHITE.—Murder. January term, 1904, of the Superior Court of Catoosa county. Life imprisonment. Since being in the penitentiary he has contracted a severe case of tuberculosis and has not been able to do any work in four years. He has served five years with good conduct. Granted June 5, 1909.

R. H. BURTON.—Manslaughter. Superior Court of Muscogee county, 1904. Twelve years in the penitentiary. There was no eye witness to the killing except the wife of the defendant and under



the rules of evidence she could not testify. He has always claimed that the killing was in self-defense. Affidavits have been filed which show that less than half an hour before the killing the deceased threatened the life of the defendant. Many good citizens including the jury which tried him recommend clemency. Granted May 18th, 1909.

### SENTENCES COMMUTED.

FLETCHER . BURLEY.—Murder. September term, 1907, Superior Court of DeKalb county. Sentenced to be hanged. Witnesses who were not accessible at the time of the trial now make affidavit that the killing was done by another. Sentence commuted to life imprisonment June 11, 1908.

WILL CURRY.—Larceny after trust. November term, 1907, of the Superior Court of Bibb county. Fine of \$100.00 or twelve months. The defendant, a negro boy seventeen years of age, converted to his own use \$6.50 worth of goods. This was his first offense. Served six months of his sentence with good conduct. Commuted to a fine of \$50.00 June 16, 1908.

JOHN COLLINS.—Burglary. November term, 1905, Superior Court of DeKalb county. He was only technically guilty. He was a partner in a pressing

club and entered the house by removing a staple from the door, which was frequently done by the co-partner and himself. Commuted to present service June 16, 1908.

HARRISON KEITH.—Assault and battery and drunkenness. August term, 1907, of the Superior Court of Hall county. Ten months in each case. He has been in prison over a year, unable to work. The camp physician certifies that he has an incurable disease. Commuted to present service June 16, 1908.

ED LAND.—Horse stealing. October term, 1907, Superior Court of Whitfield county. Twelve months. He is a young boy, sixteen years of age. It is thought by many that he acted under the influence of other parties. His father made restitution to the owner of the property. He has served nearly eight months with good conduct. Commuted to present service June 16, 1908.

WALLACE JOHNSON.—Voluntary manslaughter. Spring term, 1900, Superior Court of Floyd county. Twelve years. While serving his sentence he voluntarily and at the risk of his own life put out a burning fuse that had been attached to seventy-five sticks of dynamite, thus saving the lives of five men. He

had served all of his term except about one year. Commuted to present service June 16, 1908.

LURINDA ROBINSON.—Misdemeanor. January term, 1908, Superior Court of Oconee county. Fine of \$100.00 and twelve months, and on failure to pay the fine an additional six months in jail. She was jointly indicted with another who was convicted and sentenced to pay a fine of \$100.00. She has served more than four months of the chaingang sentence, and clemency is recommended by many of the best citizens of the community. Commuted to present service June 25, 1908.

H. C. JOINER.—Voluntary manslaughter. Fall term, 1903, of the Superior Court of Wayne county. Twenty years. He has served nearly five years of his sentence with exemplary conduct. Clemency recommended by all of the trial jurors, grand jurors, and many citizens. He is critically ill with consumption. Commuted to present service June 29, 1908.

ROWE PARKER.—Gaming. March term, 1908, City Court of Monticello. Twelve months. Clemency recommended by the trial judge and solicitor and also by the solicitor general and many citizens. Commuted to present service July 17, 1908.

SMITH McCUTCHENS.—Gaming. October term, 1907, County Court of Chattooga county. Twelve

months. The trial judge states that at the time he imposed the sentence he thought the defendant "was an old hand at the game," but has since become convinced that this was a mistake. Clemency urged by the judge, county officials and many others. Commuted to present service July 17, 1908.

WALTER BODDIE.—Stealing a ride on a train. June term, 1908, of the City Court of Forsyth. Four months. He is in the last stages of consumption, unable to do any labor and a menace to the health of the other prisoners. Commuted to present service July 17, 1908.

PEARL WHITE.—Stabbing. March term, 1908, City Court of Atlanta. Ten months. She was in jail two months before her trial and served four months on the chaingang. She is a delicate woman, afflicted with chronic bronchitis. The trial judge recommends her release. Commuted to present service July 17, 1908.

WILLIAM B. SUTTLES.—Larceny. June term, 1908, City Court of Atlanta. Six months. He was convicted of having taken a wrench and some other small tools of little value from a place where he had been at work. He has served two months of his sentence with good conduct. His release is urged by the trial judge and solicitor in order that he may

be sent to a sanitarium for treatment. Commuted to present service July 21, 1908.

SAM TUCKER.—Selling whiskey October term, 1907, of the Superior Court of Lincoln county Seven months. Since conviction his wife has died, leaving a number of small children with no one to care for them. He has served more than three months of his sentence, and his release is recommended by many good citizens. Commuted to present service August 8, 1908.

NICK ANESTOS.—Receiving stolen goods. May term, 1908, of the City Court of Savannah. Fine of \$100.00 or twelve months. He is a foreigner and had only resided in this country about four years. He was convicted of receiving a small lot of postage stamps alleged to have been stolen. He is a victim of consumption, which was considerably aggravated by malarial fever. Commuted to present service August 18, 1908.

FRANK WILLIAMS.—Larceny November term, 1907, of the Superior Court of Chatham county Two years. He is a boy about fourteen years of age. He was convicted for stealing a ring from the room of a party for whom his mother was washing. The loss was discovered at once, and his mother immediately took the ring from him and returned it

to the owner. Commuted to present service August 18, 1908.

ROSLIN NANCE.—Perjury May term, 1906, of the Superior Court of Coweta county. Five years. He has served more than two years of his sentence with good conduct, and his release is urged by county officers, seven members of the trial jury, the trial judge and solicitor and many prominent citizens. Commuted to present service August 18, 1908.

JOHN LIVELY.—Drunk on a public highway June term, 1908, City Criminal Court of Atlanta. Six months. He has been confined in the hospital nearly all the time since his conviction, and physicians certify that he is unable to do manual labor. Commuted to present service August 25, 1908.

LIZZIE COWART.—Misdemeanor. May term, 1908, City Court of Douglas. Fine of \$100.00 or six months. The county physician urges her release because she has been sick since her imprisonment and should have competent medical attention. Commuted to present service August 25, 1908.

CHARLIE COLLINS.—Resisting arrest. June term, 1908, City Court of Baxley. Fine of \$50.00 or six months. The offense was frivolous, and reputable physicians certify that he has an incurable disease,

which will result in his death should he be longer confined in the chaingang. Granted August 25, 1908.

JOHN MOODY.—Arson. Fall term, 1905, of the Superior Court of Fannin county. Twelve years. The trial judge and solicitor and the jury that found the verdict express doubt as to his mental condition. After serving three years he has become physically unable to do manual labor. Granted August 31, 1908.

SILAS BROWN.—Misdemeanor (two cases). August term, 1907, of the County Court of Houston. Fine of \$75.00 or twelve months in each case. He served his first sentence and now desires to pay the fine and be released from further confinement. Sentence commuted to a fine of \$75.00 September 4, 1908.

ARTER PASCIAL.—Larceny (two cases) April term, 1908, of the Superior Court of Warren county. Twelve months in each case. The county physician certified that he is suffering from cardiac dropsy and other diseases which render him unable to work. The county commissioners petition for his release. Sentence commuted to present service September 4, 1908.

LFE POWELL.—Buying seed cotton illegally and receiving stolen goods. September term, 1907, of

the Superior Court of Taliaferro county. Fine of \$300.00 and twelve months in each case. He paid the fine and entered upon the service of the second sentence and has only four months to complete the term. Physicians certify that he is in a dangerous physical condition and unfit for work. The county commissioners urge his release. Sentence commuted to present service September 5, 1908.

JOHN SPEER.—Murder. Spring term, 1903, of the Superior Court of Randolph county. Life imprisonment. He served fifteen years with good conduct. His release is urged by the trial judge, the jury that convicted him, the grand jury which indicted him and a large number of citizens. Commuted to present service September 9, 1908.

FRANK CARY.—Misdemeanor. Spring term, 1908, of the Superior Court of Crisp county. Twelve months. He has served three months, and the judge who sentenced him states that had he known of the defendant's physical condition, he would have imposed a different sentence. Physicians certify that he is unable to do hard labor. Commuted to present service September 16, 1908.

NICK RANSOME.—Drunkenness on the public highway. July term, 1908, of the Superior Court of Fulton county. Three months in jail. He was not



disorderly in conduct, and the judge gave him a jail sentence to break him from drinking, and he now asks for his release. Sentence commuted September 16, 1908.

EDWARD F. CETTL. Forgery. January term, 1908, of the Superior Court of Chatham county. Twelve months. He served eight months with good conduct, and is physically unable to perform hard manual labor. Clemency urged by the county commissioners. Commuted to present service September 19, 1908.

ANDREW GUYTON.—Murder. Fall term, 1885, of the Superior Court of Decatur county. Life imprisonment. He served twenty-three years with exemplary conduct. The presiding judge strongly urges clemency on the ground that there were extenuating circumstances in the case. Commuted to present service September 19, 1908.

FRED BAKER.—Shooting into a train. April term, 1907, of the Superior Court of Warren county. Two years. Newly discovered evidence creates great doubt as to his guilt. The jury which convicted him, county officers and the officials of the railroad recommend clemency. Commuted to present service September 19, 1908.

SHERMAN BIVINS.—Arson. September term, 1904, of the Superior Court of Baker county. Five years.

He has nearly completed his sentence, and the trial judge and jury recommend clemency. Commuted to present service September 19, 1908.

JAMES SOMERS.—Murder. November term, 1902, of the Superior Court of Screven county. Life imprisonment. He was only seventeen years of age when the crime was committed, and he is represented as being almost an idiot. He has served six years with good conduct, and his release is urged by the trial judge and jury, the solicitor-general, county officers and many good citizens. Commuted to present service September 23, 1908.

ADDISON HAMPTON.—Selling Liquor. Fall term, 1908, of the Superior Court of Monroe county. Fine of \$100.00 or twelve months. He has served two months, and two reputable physicians certify that he has tuberculosis and unable to work. Commuted to present service October 7, 1908.

ALBERT SANDERS.—Vagrancy. June term, 1908. City Court of Atlanta. Twelve months. Facts have developed since the trial which show that at the time of his conviction he was in the employment of the Empire Chemical & Mining Company. His release is recommended by the trial judge and solicitor and the arresting officer. Commuted to present service October 7, 1908.

JOHNSON BUCKNER AND GATHER HURST.—Breaking into a freight car. November term, 1907, of the Superior Court of Fulton county. Two years. The defendants are boys sixteen and seventeen years of age, who came into Georgia from another State, evidently stealing a ride on the freight car. Nothing was stolen from the car. They have served nearly twelve months with good conduct. Commuted to present service October 7, 1908.

LEVI COPELAND.—Murder. ----- term, 1883, of the Superior Court of Greene county. Life imprisonment. He is now seventy-five years of age and has served with exemplary conduct for about twenty-five years. Commuted to present service October 20, 1908.

JOSEPH WAY.—Murder. January term, 1879, of the Superior Court of Chatham county. Life imprisonment. He has served nearly thirty years in the penitentiary with good conduct. He claims that he did not commit the crime. Sentence commuted to present service October 20, 1908.

W. S. ANDREWS.—Murder. October term, 1902, of the Superior Court of Montgomery county. Life imprisonment. He is seventy years of age and in bad health. The trial judge and jury, the solicitor-

general and the county officials recommend clemency  
Commutd to present service October 22, 1908.

EMANUEL CROWDER.—Manslaughter. August term, 1903, of the Superior Court of Butts county Seven years. The evidence would authorize the conclusion that he killed his antagonist in self-defense. His pardon is recommended by the trial judge and solicitor, the trial jurors and county officers. Commuted to present service October 22, 1908

BUCK BOLTON.—Felony Fall term, 1901, of the Superior Court of Oglethorpe county. Twenty years. The main witness for the prosecution now makes affidavit that Buck Bolton was not the guilty party, but that the crime was committed by another. His release is recommended by the trial jurors, officials and many citizens. Commuted to present service October 22, 1908.

ELDRIDGE JACKSON.—Murder. Fall term, 1875, of the Superior Court of Randolph county Life imprisonment. He served thirty-three years in the penitentiary with good conduct. Commuted to present service, November 2, 1908.

WATT JACKSON.—Murder. Fall term, 1879, of the Superior Court of Bryan county Life imprisonment. He has served twenty-eight years in the

penitentiary, during all of which time his conduct has been good. From the best information obtainable it appears that he was only an accessory. Com-muted to present service November 2, 1908.

JOB JONES.—Murder. March term, 1889, Superior Court of Clinch county. Life imprisonment. He had served twenty years with good conduct. Recently, when a desperate convict made an escape, he swam a creek in pursuit of him and caught and returned him to the guards. Commuted to present service November 2, 1908.

S. H. USRY.—Murder. April term, 1900, of the Superior Court of Glascock county. Life imprisonment. The killing was done in a sudden quarrel and at a moment when the defendant was engaged in a fight with the deceased. He has become physically disabled by disease and is now sixty years of age. Commuted to present service November 2, 1908.

JOHN HEYWOOD.—Stabbing and giving whiskey to a minor. July term; 1907, of the Superior Court of Hall county. Twelve months and six months respectively. These were his first offenses, and he has nearly served both sentences. The judge and solicitor recommend his release. Commuted to present service November 2, 1908.

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ELIZABETH PITTS.—Murder—April term, 1893, of the Superior Court of Warren county. The defendant is a negro girl of very low rearing and feeble intellect and plead guilty to the crime of infanticide. She has served fifteen years, and many white citizens of the county petition for her release. Commuted to present service November 2, 1908.

HENRY GOODLEY.—Arson. October term, 1880, of the Superior Court of Wilkinson county. Life imprisonment. He stole \$10.00 from a dwelling and set the house on fire. No one was injured by the burning of the house. He was only seventeen years of age and has served twenty eight years. Commuted to present service November 2, 1908.

SHERMAN GIVENS.—Arson and burglary—Ten and fifteen years respectively—Fall term, 1893, of the Superior Court of Dougherty county. He has served all of one sentence and nearly all of the other, has developed pulmonary tuberculosis and is now a physical wreck. Commuted to present service November 2, 1908.

F PARSONS.—Selling whiskey—March term, 1908, of the Superior Court of Banks county—Twelve months. He has an incurable case of syphilis. He has now served seven months. The solicitor-general and citizens recommend his release. Commuted to present service November 2, 1908.

GEORGE FRANKS AND LEE SMITH.—Manslaughter. September term, 1898, of the Superior Court of Dodge county Twenty years. Deceased had committed a burglary upon the dwelling of one of the defendants. They pursued him without a warrant, and when he resisted arrest they killed him. Under the circumstances it is thought that punishment has been sufficient. Commuted to present service November 2, 1908.

GUILFORD HORNSBY.—Selling whiskey February term, 1908, of the City Court of Atlanta. Twelve months. He is about eighty years of age and of previous good character. The judge and solicitor state that his guilt was only technical. Commuted to present service November 2, 1908.

CHARLES JOHNSON.—Burglary. October term, 1908, of the Superior Court of Harris county Two years. At the time of his sentence he was suffering from violent tuberculosis. His condition is extremely critical and dangerous to the other prisoners. Commuted to present service November 5, 1908.

J. G. CASH.—Larceny from the house. May term, 1908, City Court of Atlanta. Six months in jail. He has been in jail since the date of his arrest on December 12, 1907. His conduct has been good. The trial judge and solicitor, court officials and the prose-

cutor ask for his release. Commuted to present service November 5, 1908.

ED TEASLEY.—Manslaughter. September term, 1898, of the Superior Court of Elbert county. Twenty years. He has served about ten years. The judge and solicitor, the prosecutor, county officials and many citizens ask for his release. Commuted to present service November 6, 1908.

JOHN NATHAN.—Murder. March term, 1908, of the Superior Court of Morgan county. Sentenced to be hanged. He is only seventeen years of age and committed the crime while in a jealous rage. Reputable citizens make affidavit that he had always been of very weak mind, almost imbecile. Sentence commuted to life imprisonment November 6, 1908.

ED SUMMEROUR.—Manslaughter. August term, 1905, of the Superior Court of Walton county. Five years. He claimed that he acted in self-defense. Since conviction he has been a very faithful and obedient convict. Previous character good. His release is recommended by the trial judge and solicitor, the trial jury and county officials. Commuted to present service November 7, 1908.

DOCK SPENCER.—Carrying concealed pistol. May term, 1908, of the Superior Court of Terrell county. Twelve months. He has served nearly seven months.



and the camp physician certifies that he has chronic appendicitis and is unable to do manual labor. The county commissioners petition for his release. Sentence commuted to present service November 7, 1908.

JOHN THOMAS.—Simple Larceny. March term, 1908, of City Court of Atlanta. Twelve months. He has served eight months, and for two months has been confined to the hospital with typhoid fever. He is only seventeen years of age. Commuted to present service November 7, 1908.

ANN WINSHIP.—Murder. September term, 1900, of the Superior Court of Clayton county. Life imprisonment. She is past sixty years of age and of weak mind. Her conduct has been good. Her release is recommended by the trial judge and solicitor, the trial jurors, the county officers and a number of good citizens. Commuted to present service November 7, 1908.

JOSEPH WILLIAMS.—Gaming. November term, 1908, of the City Court of Sparta. Ten months. A large number of good citizens of Hancock county certify that he has always borne a good reputation, and that this was his first offense. They request that the sentence be so modified as to allow him to pay a fine. Sentence commuted to a fine of \$40.00 November 7, 1908.

JANE HUNTER.—Misdemeanor. August term, 1908, of the Superior Court of Habersham county. Fine of \$50.00 and twelve months on the chaingang. The county authorities and citizens of the county request that the sentence be commuted to service at the State farm instead of requiring her to work on the public roads, she being a white woman. Sentence commuted to service at the State farm November 7, 1908.

VONA M. ADIS.—Misdemeanor. August term, 1908, of the Superior Court of Habersham county. Fine of \$20.00 and twelve months on the chaingang. She is a young white woman, and the county authorities request that she be placed at the State farm instead of requiring her to work in the county chaingang. Sentence commuted to service at the State farm November 12, 1908.

B. F. SIMMS.—Manslaughter. February term, 1905, of the Superior Court of Forsyth county. Ten years. He has served nearly four years with exemplary conduct. His release is urged by the judge, solicitor-general, grand jury, trial jury, county officers and many good citizens. Commuted to present service November 18, 1908.

MATTIE BLACK.—Larceny from the house. September term, 1908, of the City Court of Americus.

Ten months. County physician certifies that she is suffering from a complication of diseases, which are incurable and unfitting her for any labor. Her release is requested by the county commissioners. Commuted to present service November 18, 1908.

JOE GREENE.—Cheating and swindling. May term, 1908, of the City Court of Americus. Three cases. Twelve months each in the first two and ten months in the other. The county physician certifies that he has tuberculosis, and the county commissioners request that he be released. Sentence commuted to present service November 18, 1908.

MOSES YOUNGBLOOD, CLARENCE CLARKE, JAMES POTTER, RABUN SMITH AND NED WIGGINS.—Gaming. October term, 1908, of the City Court of Sparta. Ten months on the chaingang. They were sentenced to the chaingang without the alternative of paying a fine. The county officers and many good citizens certify that this is the first accusation of this character that has ever been brought against these defendants, and they request that they be given the privilege of paying a fine. Sentences commuted to the payment of a fine of \$40.00 each, November 18, 1908.

W W O'CALLAGHAN.—Robbery. May term, 1907, of the Superior Court of Fulton county. Three

years. He is a young white boy, and has served over eighteen months with good conduct. Since his imprisonment he has lost the sight of one eye. The judge and solicitor-general request clemency. Sentence commuted to present service November 25, 1908.

LEILA SUGGS.—Vagrancy November term, 1908, of the City Court of Atlanta. Fine of \$50.00 or twelve months. She is a white woman, having two small children dependent on her for support. The judge and solicitor recommend her release. Commuted to present service November 25, 1908.

IRA SMITH.—Misdemeanor. December term, 1907, of the City Court of Carrollton. Fine of \$200.00 or twelve months. He now has the money to pay his fine and requests that he be allowed to pay the fine and be given his freedom. His petition is endorsed by the judge and solicitor and by the ordinary and clerk of the Superior Court. Sentence commuted to a fine of \$250.00 November 28, 1908.

ANNIE BELLE BONNER.—Vagrancy March term, 1908, of the City Court of Atlanta. She has served about nine months. She now asks to be released in order that she may accept a position that has been tendered her. Commuted to present service December 5, 1908.

OTTO E. BLACK.—Horse stealing. October term, 1905, of the Superior Court of Fulton county Ten years. He was tried jointly with another man, who, since the trial, has made a confession fully exonerating him. The testimony was so doubtful that the trial jury recommended that he be punished as for a misdemeanor. This recommendation was disregarded by the judge in passing sentence but he now joins in recommending clemency. Sentence commuted to present service December 12, 1908.

D. H. MINTON.—Bigamy June term, 1907, of the Superior Court of Chatham county Two years. He married in South Carolina, and after several years his wife deserted him. He then moved to Georgia, and in ignorance of the laws of this State married again without obtaining a divorce. He is an industrious millwright and capable of supporting his family. His conduct has been good. Sentence commuted to present service December 17, 1908.

GUY RUDASILL.—Larceny (two cases). November term, 1907, of the Superior Court of Cobb county. Twelve months in each case. He has served one full sentence. He is a boy only twelve years of age and has never before been charged with crime. The money stolen was only a few dollars, which has been restored. Sentence commuted to present service December 17, 1908.

BRUCE REID.—Burglary April term, 1895, Superior Court of Harris county Twenty years. He has served nearly his entire sentence with exemplary conduct. Commuted to present service December 17, 1908.

CHARLES WILLIAMS.—Burglary December term, 1903, of the Superior Court of Bibb county. Ten years. He participated in the burglary, but the principal made his escape. Has served nearly five years with exemplary conduct. His release is recommended by the trial judge and solicitor and the prosecutor. Commuted to present service December 17, 1908.

ROSA LEE TURNER.—Larceny. February term, 1908, of the Superior Court of Glenn county. Twelve months. She is suffering with tuberculosis, and the county commissioners petition for her release. Commuted to present service December 17, 1908.

ROBERTA BROOMFIELD.—Perjury. Fall term, 1907, of the Superior Court of Jefferson county. Four years. She is an ignorant negro girl, and it appears that she was bribed by a white man to commit the act. The judge and solicitor-general recommend her release. Commuted to present service December 17, 1908.

ALAMANZA WHITE.—Manslaughter. October term, 1902, Superior Court of Fulton county. At the time of the homicide he was only sixteen years of age, and the negro killed had been overbearing, frequently treating him with insults and violence. At the time of the killing the deceased had made a violent attack on him, and the boy claimed that he acted in self-defense. He has served six years, and his release is recommended by the judge, the solicitor-general and several officers. Commuted to present service December 17, 1908.

RICHARD QUANN.—Vagrancy. September term, 1908, of the City Court of Atlanta. Twelve months. He is a young white boy, nineteen years of age, from Massachusetts, who was on his way to Texas and was apprehended in Atlanta and tried for vagrancy. He has served three months with good conduct. Previous character good. Commuted to present service December 17, 1908.

REESE DEAN.—Larceny from the house. August term, 1907, Superior Court of Spalding county. Sentenced to the reformatory. From the report of the superintendent of the reformatory it appears that the boy has reformed. Sentence commuted December 17, 1908.

CHARLES BEAZLEY.—Voluntary Manslaughter. Fall term, 1906, of the Superior Court of Tattnall

county Sentenced to the reformatory The Prison Commission recommends his release on the ground that there is a reasonable probability that he will live and remain at liberty without violating the law Released December 17, 1908.

OLLIE SMALLWOOD.—Involuntary Manslaughter. August term, 1907, of the Superior Court of Walton county Sentenced to the reformatory. His release is recommended by the Prison Commission, based upon the report of the superintendent of the reformatory Released December 17, 1908.

WILLIAM MASON.—Shooting at another Fall term, 1906, of the Superior Court of Talbot county Sentenced to the reformatory Released upon the recommendation of the Prison Commission December 17, 1908.

JOHN DANIEL.—Disturbing divine worship and carrying concealed pistol. In the City Court of Hancock county. Twelve months on the chaingang. He was tried with several others. The others were sentenced to pay a fine and the defendant sentenced to the chaingang. The judge requests that his sentence be commuted to the payment of the same fine as that paid by the others. Sentence commuted to the payment of a fine of \$150.00 December 17, 1908



JOHN DRENNEN.—Larceny from the house. January term, 1907, of the Superior Court of Floyd county Sentenced to the reformatory Released upon the report of the superintendent of the reformatory and the recommendation of the Prison Commission December 17, 1908.

JOHN JACKSON.—Larceny from the House. November term, 1906, of the Superior Court of Muscogee county Sentenced to the reformatory Released upon the report of the superintendent of the reformatory and the recommendation of the Prison Commission December 17, 1908.

C. R. JACKSON.—Using profane language and assault and battery May term, 1908, of the Superior Court of McIntosh county. Twelve months. He has served nearly two years, and his release is recommended by the Prison Commission. Commuted to present service December 18, 1908.

CLAUDE L. RAYSOR.—Burglary September term, 1907, of the Superior Court of Fulton county Three years. He has served one year and two months with good conduct. He is a young white boy of good parentage, and his previous character was good. Commuted to present service December 18, 1908.

LEE PAYNE.—Burglary. March term, 1908, of the Superior Court of Polk county One year. This boy

is deaf, dumb and has but one leg. His conduct has been good. The superintendent of the prison farm recommends his release. Commuted to present service December 17, 1908.

THOMAS ANGLIN, JR.—Malicious mischief. Superior Court of Chatham county, spring term, 1908. Twelve months. He has served more than seven months. He was only seventeen years of age when the crime was committed, and many good citizens recommend his release. Commuted to present service December 18, 1908.

J. W. BECK.—Bigamy. April term, 1908, of the Superior Court of Pickens county. Two years. He is about eighty years of age, almost an imbecile and very feeble. The trial judge and solicitor and a large number of citizens recommend the clemency. Commuted to present service December 18, 1908.

DOCK JONES.—Breaking and entering a railroad car. July term, 1908, of the Superior Court of Bibb county. Twelve months. His release is recommended by the ordinary, who has control of the county chaingang, by the clerk of the Superior Court and the sheriff. Commuted to present service December 18, 1908.

ABRAHAM NEEL.—Larceny in two cases. Fall term, 1907, of the Superior Court of Cobb county. Twelve

months in each case. He has served twelve months, and his release is recommended by the trial judge and solicitor, the mayor and council of Marietta, county officials and many citizens. Commuted to present service December 18, 1908.

DOWDELL F LEWIS.—Burglary. Fall term, 1907, of the Superior Court of Fulton county. Three years. He was accused of taking some tools from a barn, of small value. He has served with good conduct over half of his sentence, and his release is recommended by Probation Officer Gloer and the solicitor-general. Commuted to present service December 18, 1908.

PEARL BLACK.—Misdemeanor. July term, 1908, of the City Court of Americus. Twelve months. The county commissioners, the judge and several county officers recommend her release on account of ill health. Commuted to present service December 18, 1908.

W B. GODFREY.—Burglary. December term, 1906, of the Superior Court of Fulton county. Five years. He was convicted on circumstantial evidence, although he protested his innocence. Has served two years of his sentence. Previous character good. Judge and solicitor recommend his release. Commuted to present service December 18, 1908.

FRANK PORTER.—Misdemeanor. March term, 1908, of the Superior Court of Jenkins county Twelve months. The chairman of the county commissioners recommends his release upon the ground that he has dropsy and Bright's disease. He has served over nine months of his sentence. Commuted to present service December 18, 1908.

JAMES HATCHER.—Manslaughter. October term, 1907, of the Superior Court of Richmond county. Two years. He has served more than half of his sentence, and his release is recommended by the trial judge and solicitor and county officers of Richmond county. Commuted to present service December 18, 1908.

J. W. KEEN.—Selling mortgaged property. City Court of Baxley. Six months. The judge and solicitor state that this man is aged and feeble. Inasmuch as he has served the greater portion of his sentence, they recommend his release. Commuted to present service December 18, 1908.

FRANK GOINS.—Murder. October term, 1893, of the Superior Court of Richmond county Life imprisonment. He was convicted of infanticide upon the testimony of a woman who now makes affidavit that she swore falsely. He has served faithfully over thirteen years. The trial judge and solicitor

and others familiar with the facts recommend his release. Commuted to present service December 18, 1908.

BEN YAPP.—Burglary in two cases. May term, 1904, of the Superior Court of Macon county Five years. He has served over four years with good conduct. His release is recommended by the solicitor-general and many good citizens. Commuted to present service December 18, 1908.

FRANK HOLMES.—Larceny. September term, 1908, of the Superior Court of Chattooga county Twelve months. Defendant is a negro boy, and the Prison Commission recommends his release in order that he may be taken by his father to the general State reformatory for negro boys near Macon. Commuted to present service December 22, 1908.

JOHN BROWN.—Murder. Spring term, 1882, of the Superior Court of Richmond county. Life imprisonment. He was convicted on brief circumstantial evidence and has served over twenty-six years with good conduct. Commuted to present service December 22, 1908.

HENRY O. JOHNSON.—Burglary in two cases. April term, 1905, of the Superior Court of Thomas county. Two years. He was a young white man, about seventeen years of age, at the time the crime was com-

mitted. He has served with good conduct, and his term of service will soon expire. His release is recommended by the prosecutor, by county officers and many good citizens. Commuted to present service December 22, 1908.

FRANK STARR.—Murder. April term, 1904, of the Superior Court of Henry county. Life imprisonment. He killed a negro who was an ex-convict, and was represented as having been a man of bad character. The testimony was conflicting. The trial judge and solicitor recommend that he be released. It is shown that he has permanent heart trouble. Previous character good. Sentence commuted to present service December 23, 1908.

ED DANIELS.—Misdemeanor. City Court of Atlanta, July term, 1908.. Twelve months. Since the date of his reception in the chaingang he has never been able to do any work on account of serious illness. The county physician certifies that he has an incurable disease. Commuted to present service January 1, 1909.

J. TOM LONG.—Murder. Spring term, 1907, of the Superior Court of Walton county. Life imprisonment. The evidence on which he was convicted was very conflicting. The man killed was of a violent nature, who carried a pistol habitually and had killed

one man. The defendant claimed that he acted in self-defense. His release is requested by eight hundred good citizens, the jury that indicted him, the trial jury that convicted him and many others. Commuted to present service January 13, 1909.

HOWARD BROWN.—Misdemeanor. Spring term, 1908, of the City Court of Atlanta. Twelve months. The county physician certifies that he has consumption. He has served ten months and is unable to work. Commuted to present service January 11, 1909.

WALTER LLOYD.—Murder. March term, 1904, of the Superior Court of Chatham county. Life imprisonment. In a personal encounter the pistol in the hands of Lloyd was seized by the man killed, and in the struggle the shot was fired. The deceased was in a drunken condition and was the aggressor. The solicitor-general states that the defendant has been sufficiently punished. Commuted to present service January 11, 1909.

TRIM LEWIS.—Misdemeanor. June term, 1908, of the Superior Court of Fulton county. Twelve months. The county physician certifies that the defendant is confined to the hospital unable to do any work. His release is requested by the county commissioners. Commuted to present service January 11, 1909.

LUCIUS WRIGHT.—Carrying concealed pistol. August term, 1908, of the Superior Court of Polk county. Twelve months, or a fine of \$90.00. His father has raised the fine and now asks that his sentence be commuted to the payment of the fine. He has served several months at hard labor. Sentence commuted to the payment of a fine of \$90.00, January 11, 1909.

CHARLES WHITFIELD.—Shooting at another. October term, 1908, of the Superior Court of Chatham county. Six months. He has served about half his sentence with good conduct. Previous character good. Sentence commuted to present service January 11, 1909.

JOE VARNER.—Gaming. September term, 1908, of the City Court of Atlanta. Eight months. The judge who sentenced him recommends that his sentence be commuted to a fine of \$25.00. Sentence commuted January 11, 1909.

CLARENCE MAULDIN.—Larceny. December term, 1908, of the City Court of Atlanta. Eight months. He is a young white boy, seventeen years of age, and was convicted for stealing a chicken. He is represented as being very weak physically and mentally. Sentence commuted to present service January 13, 1909.



GEORGE DILLARD.—Murder. April term, 1908, of the Superior Court of Houston county. Sentenced to death. He was a porter on a railroad train and killed the deceased in an effort to prevent disorder among some negroes. Since the trial two witnesses make affidavit that deceased was in the act of pulling a knife from his pocket when Dillard shot him. The defendant claimed that he acted in self-defense. Sentence commuted to life imprisonment January 11, 1909.

DAVID WILSON.—Misdemeanor. August term, 1908, of the City Court of Thomasville. Ten months. He was only sixteen years of age and was under the influence of an older person. He has served half of his sentence with good conduct. Sentence commuted to present service January 13, 1909.

HUGO OKERMAN.—False writing. December term, 1905, Superior Court of Chatham county. Five years. While in a drunken condition he drew an order on his employer for \$43.55, supposing, as he states, that the company was indebted to him for that amount. Has served with good conduct over three years. This is his first offense. Commuted to present service January 13, 1909.

O. L. DOWNING.—Murder. February term, 1901, Superior Court of Dooly county. Life imprison-

ment. The crime was committed under very extenuating circumstances. He has served eight years with good conduct. The trial jury, solicitor-general and many good citizens recommend clemency. Commuted to present service January 16, 1909.

BILL FRANKLIN.—Simple larceny September term, 1908, of the City Court of Carrollton. Fine of \$150.00 or twelve months. Defendant is an old negro, and the county physician certifies that he has been treating him practically all of the time since he has been in prison. He found a pocketbook on the public highway containing about \$5.00 and concealed it from the owner. The trial judge and solicitor recommend clemency. Sentence commuted to a fine of \$50.00 January 22, 1909.

ELMER LONG.—Larceny January term, 1909, of the Superior Court of Fulton county. Fine of \$250.00 or six months. The trial judge and solicitor and also the prosecutor recommend clemency on the ground that he had no criminal intent. He is a young white man, and his wife and child need his support. Commuted to present service February 6, 1909.

JOHN T. HAYNES.—Burglary October term, 1906, of the Superior Court of Fulton county. Five years. The jury recommended that he be punished as for a

misdemeanor. The judge disregarded the recommendation, but told him that after he had served two years with good conduct he would recommend his pardon. He has served nearly two years and a half. Commuted to present service February 6, 1909.

SUSAN MORGAN. Larceny January term, 1909, of the City Court of Savannah. Three months. The trial judge recommends her release. She has several children, and her financial condition probably drove her to do the act. Commuted to present service February 6, 1909.

STANLEY COTTRELL.—Burglary. October term, 1905, Superior Court of Fulton county. Five years. The jury recommended that he be punished as for a misdemeanor, but the judge gave him five years, stating that at the end of two years he would recommend his pardon. He has served over three years with good conduct. Commuted to present service February 6, 1909.

J. L. WILLIS.—Burglary (two cases). Spring term, 1905, of the Superior Court of Thomas county. Three years in each case. The articles stolen were of small value, and he has about served one sentence of three years. He has a wife and child in destitute circumstances, and the solicitor-general and many citizens recommend clemency. Commuted to present service February 6, 1909.

LUTHER GLOER.—Robbery January term, 1907, of the Superior Court of Fulton county Seven years. The defendant has always protested his innocence. The main witness against him was drunk at the time that he alleged he was robbed. The solicitor-general, grand jury, trial jury, county officers and many citizens recommend his release. Commuted to present service February 6, 1909.

S. A. PINION.—Cattle stealing. Spring term, 1908, of the Superior Court of Hall county. Two years. He is an old man and is said to be of unsound mind. Has served nearly half of his two years' sentence, and a number of county officers and citizens recommend his release. Commuted to present service February 6, 1909.

WILLIE EAGAN —Larceny March term, 1908, of the City Court of Savannah. Sentenced to the reformatory. His release is recommended by the trial judge. His mother is a good woman and will place him where he will learn a good trade. Commuted to present service February 6, 1909.

LEGAREE BOSWELL.—Manslaughter. March term, 1907, Superior Court of Morgan county Three years. The offense was committed under very great provocation, and his release is recommended by the trial judge and solicitor. Commuted to present service February 6, 1909.

CHARLEY BAILEY.—Misdemeanor. September term, 1908, Superior Court of DeKalb county. Twelve months. The county physician certifies that he has a fatal case of tuberculosis. His release is recommended by the county physician. Commuted to present service February 11, 1909.

JOHN FELTMAN.—Murder. Fall term, 1895, of the Superior Court of Coweta county. Life imprisonment. He has served fourteen years with good conduct, and last year prevented the escape of fifty convicts from the mine. His release is recommended by the trial jury, the grand jury and many citizens. Commuted to present service February 17, 1909.

ALLEN HIGHTOWER.—Gaming. November term, 1908, of the Superior Court of Monroe county. Five months. The county physician certifies that he is suffering from serious diseases, which threaten his life, and the county commissioners appeal for his discharge. Commuted to present service February 20, 1909.

WILL SENIOR.—Voluntary Manslaughter. Fall term, 1907, of the Superior Court of Talbot county. Six years. He is now at the State farm and unable to do but little work. His release is recommended by the trial judge and solicitor, the trial jury, the grand jury and county officers. Commuted to present service February 20, 1909.

JACK CAIN.—Murder. September term, 1908, of the Superior Court of Spalding county. Sentenced to death. Evidence secured since the trial show extenuating circumstances. Commuted to life imprisonment February 25, 1909.

CHARLES ADKINS.—Felony. July term, 1905, of the Superior Court of Floyd county. Ten years. The prosecutor states that he has discovered facts since the trial which create grave doubt in his mind as to the defendant's guilt. The trial judge and solicitor and many citizens recommend his release. Committed to present service February 25, 1909.

GEORGE FIELDS.—Gaming. February term, 1908, of the Superior Court of Cobb county. Four months. He has tuberculosis and is unable to work. Committed to present service February 25, 1909.

JOE LOWE.—Assault with Attempt to Murder and Carrying Concealed Pistol. November term, 1907, of the Superior Court of Muscogee county. Twelve and six months respectively. He has served all of both sentences, with exception of about twenty days, with good conduct, previous character good. Committed to present service March 3, 1909.

FELTON BARNES.—Murder. September term, 1900, of the Superior Court of Polk county. Life imprisonment. He has served with good conduct for nearly

eight years. The deceased was a dangerous negro, and the judge and solicitor-general state: "There were grave doubts as to the correctness of the verdict, and he may have been justified in the killing." Sentence commuted to present service March 11, 1909.

WILL CALLIER.—Misdemeanor. May term, 1908, Superior Court of Muscogee county Eighteen months. The county physician and county commissioner urge his release upon the ground that he is afflicted with tuberculosis. Commuted to present service March 12, 1909.

WILLIAM HARPER.—Misdemeanor (two cases). September term, 1907, of the City Court of Atlanta. Fine of \$150.00 or two years. He has served sixteen months and while at work had one foot severely crushed. The trial judge and solicitor ask for his release. Commuted to present service March 22, 1909.

GORDON BAILEY.—Selling whiskey. January term, 1909, of the City Court of Macon. Fine of \$750.00 or twelve months. Reputable physicians certify that he has tuberculosis, and his mother is anxious for his release in order that she may send him out West. He has already been confined in jail about two months. Sentence commuted March 30, 1909.

WILLIAM RICHARDSON.—Misdemeanor (three cases) July term, 1907, of the Superior Court of Floyd county. Twelve months each in two cases and eight months in the other. All of the cases grew out of the same transaction. He has now served over eighteen months, and his release is requested by the trial judge and solicitor, officers of the court, county officers and many citizens. Commuted to present service March 30, 1909.

JOHN THOMAS.—Misdemeanor (three cases). May term, 1908, of the Superior Court of Stephens county. Two and a half years. A physician certifies that he is of weak mind and barely responsible for his acts, and that he is suffering with an incurable disease. He is unable to do but very little work. Commuted to present service March 30, 1909.

BESSIE ROBINSON.—Larceny (three cases). February term, 1908, of the City Court of Atlanta. Eight months in each case. She has served over twelve months and is represented as a negro girl of weak mind. The trial judge and solicitor and the prosecutor recommend her release. Commuted to present service March 30, 1909.

A. J. HARMON.—Robbery. May term, 1907, of the Superior Court of Fulton county. Five years. He plead guilty, supposing that he was being tried for



gaming. The facts, as shown by affidavits, are that he was not guilty of robbery. The prosecutor and solicitor-general request his release. Commuted to present service April 1, 1909.

NAPOLÉON HALL.—Disturbing divine worship. December term, 1908, County Court of Putnam county. Twelve months. He has tuberculosis, and his release is requested by the county commissioners and the trial judge and solicitor. Commuted to present service April 6, 1909.

RAYMOND JONES.—Burglary. July term, 1908, of the Superior Court of Bibb county. Fifteen years in the penitentiary. He was only fifteen years of age when convicted and he now has less than one year to serve. His conduct in the penitentiary has been good. Granted April 7th, 1909.

W. G. THOMPSON.—Embezzlement. Spring term, 1908, of the Superior Court of Chatham county. Seven years in the penitentiary. It appears that he was led into the commission of the offense by kiting the papers of people who were doing business with his firm. His intention was to return the amount he had thus taken and used in support of his family. When arrested he gave up his home and entire property to satisfy his debt. His conduct has been good. Granted April 12th, 1909.

JAMES CANTRELL.—Voluntary manslaughter. February term, 1905, of the Superior Court of Murray county. Six years in the penitentiary. His release is urged by the trial judge, solicitor general, grand jury, trial jury, county officers and many good citizens familiar with all the facts. During his imprisonment his conduct has been good. Sentence commuted April 12, 1909.

LIGHT LOCKETT.—Voluntary manslaughter. Fall term, 1907, of the Superior Court of Polk county. Four years in the penitentiary. He killed the deceased under great provocation, the deceased having boasted that he had taken defendant's wife away from him. The trial judge and solicitor and many citizens recommend clemency. Sentence commuted April 12th, 1909.

HARRY PASCHAL. Assault to murder. October term, 1906, of the Superior Court of Columbia county. Five years in the penitentiary. He has served about half his sentence and is now affected with tuberculosis. The ordinary and county physician recommend his release. Sentence commuted April 12th, 1909.

FELIX BELL.—Burglary. October term, 1897 of the Superior Court of Oglethorpe county. Twenty years in the penitentiary. He has served eleven years

with good conduct. He was a young boy when the crime was committed. Clemency recommended by the prosecutor, solicitor-general, county officers and many good citizens. Sentence commuted April 12th, 1909.

NAT CARSWELL.—Burglary. Spring term, 1907, of the Superior Court of Fulton county. Five years in the penitentiary. The county physician certifies that he has an incurable disease. He has been in the hospital more than four months. Sentence commuted April 12th, 1909.

HELEN DREW.—Misdemeanor. September term, 1908, City Court of Camilla. Twelve months in the chaingang. She has consumption and is unable to work. Sentence commuted April 12th, 1909.

SALLY JOHNSON —Assault with intent to murder. September term, 1908, Superior Court of Hart county. Eighteen months in the penitentiary. She was convicted as accessory to a shooting by her young son nine years of age who is said to have shot at a man who beat him. She has served seven months with good conduct, and having a large family of young children dependent upon her, the trial jury, county officers and other good citizens recommend her release. Sentence commuted April 12th, 1909.

MARION MORRIS.—Misdemeanor. October term, 1908, of the City Court of Atlanta. Twelve months. The facts in the case show only a technical violation of the law. He served thirty days in the stockade for the same offense and he has now served seven months under the two sentences. The trial judge and solicitor and other officers recommend clemency. Commuted April 13th, 1909.

SEARCY GILES.—Involuntary manslaughter. August term, 1908, of the Superior Court of Butts county. Two years in the penitentiary. Clemency recommended by the trial jury, solicitor general, sheriff and many citizens. Commuted April 13th, 1909.

HARMON KNIGHT.—Voluntary manslaughter. November term, 1906, of the Superior Court of Terrell county. Three years in the penitentiary. He has served all of his sentence but six months. His conduct in prison has been exemplary. Clemency recommended by the trial jury which is consented to by the trial judge and solicitor-general. Commuted April 13th, 1909.

TOBIAS LOVETT.—Misdemeanor. October term, 1908, of the City Court of Newnan. Twelve months. A number of good citizens state they believe the defendant was convicted on perjured evidence. His

wife has died during his imprisonment, leaving four small children helpless and destitute. Clemency recommended by the trial judge and solicitor. Commuted April 13th, 1909.

WILL MORGAN.—Burglary September term, 1902, of the Superior Court of Jasper county Ten years in the penitentiary. The evidence upon which he was convicted was weak and unsatisfactory. His previous character was good and his conduct in prison has been exemplary. Commuted April 13th, 1909.

SAM TAYLOR.—Murder. September term, 1908, of the Superior Court of Coweta county. Sentenced to death. Nearly all of the jurors who tried the case, most of the county officers and a great many good citizens recommend that his sentence be commuted to life imprisonment. Sentence commuted April 17th, 1909.

E. C. HUGHES.—Forgery Fall term, 1908, of the Superior Court of Fulton county Three years in the penitentiary. He has developed tuberculosis and is entirely unable to work. Sentence commuted May 1st, 1909.

LEWIS MILLIRONS.—Rape. Superior Court of Clay County Sentenced to death. He was charged with having raped his stepdaughter, but his arrest and

prosecution did not take place until six months after the first offense. When arrested he was arranging to run away with his stepdaughter whom he was charged with having raped. Affidavits have been presented showing that the girl had been guilty of very questionable conduct before the time the first offense was alleged to have been committed. A large number of the citizens of the county urge that his sentence be commuted. Sentence commuted April 28, 1909.

BERRY MEEKS.—Arson. October term, 1897, of the Superior Court of Schley county Life imprisonment. He was convicted on circumstantial evidence and has always protested his innocence. He has served twelve years with good conduct and on more than one occasion has prevented escapes and assisted in the re-capture of other convicts who had escaped. Sentence commuted April 27th, 1909.

D. C. PERDUE.—Murder. November term, 1905, of the Superior Court of Cobb county Life imprisonment. There is grave doubt of his guilt. Clemency is recommended by the trial judge and solicitor, by the jury which convicted him, by county officials and others. Sentence commuted May 10th, 1909.

GEORGE S. HAYGOOD.—Larceny after trust. October term, 1908, of the Superior Court of Chatham

county Twelve months. His release is recommended by the solicitor who prosecuted him, by the county commissioners, county officers and many prominent citizens. His previous character was good. Commuted May 10th, 1909.

NANCY MORRIS.—Murder. September term, 1884, of the Superior Court of Newton county. Life imprisonment. She has served twenty-five years with good conduct and is now old and unable to do much work. Commuted May 11th, 1909.

JOE JACOBS.—Murder. July term, 1904, Superior Court of Richmond county. Life imprisonment. Jacobs killed his wife and her lover whom he caught in a criminal act in Jacob's own room. Clemency recommended by the trial judge and solicitor, by the grand jury, county officials, and others. Commuted May 11th, 1909.

LUM BRADLEY.—Murder. February term, 1904, of the Superior Court of Paulding county. Life imprisonment. He has made a model prisoner and clemency is recommended by the solicitor, county officers, trial jurors and many citizens. Commuted May 11th, 1909.

BABE GREER.—Larceny. Fall term, 1907, of the City Court of Atlanta. Two years in the peniten-

tiary. He has served more than a year and one-half of his sentence and is now in ill health. His release is recommended by the trial judge and solicitor and other citizens. Commuted May 11th, 1909.

DOC LENARD.—Misdemeanor. October term, 1908, of the Superior Court of Pike county Twelve months in the chaingang. The witness who testified against him is now under indictment for perjury and those familiar with the case now believe the defendant was convicted on perjured evidence. Commuted May 11th, 1909.

CHARLES WATERS.—Larceny Fall term, 1908, of the City Court of Houston county. Twelve months. He was charged with stealing five dollars. He has occasional fits and since being in prison he was severely burned from falling in the fire during one of these fits. Commuted May 11th, 1909.

DOCK DRAKE.—Drunkenness. February term, 1909, of the City Court of Oglethorpe county Twelve months or a fine of one hundred dollars. He has paid the fine of one hundred dollars, and now petitions for his release. Commuted May 11, 1909.

HENRY PRUITT.—Misdemeanor. March term, 1909, of the Superior Court of DeKalb county Six months. He has tuberculosis and for the past two



months has been unable to do any work. Commuted May 13th, 1909.

CICERO THOMAS.—Manslaughter. October term, 1904, of the Superior Court of Pike county. Ten years in the penitentiary. There was a conflict in the evidence upon which he was convicted and recently the main witness has admitted in writing that he swore falsely. His release is urged by county officers, the grand jury, the trial jury, the solicitor general, the presiding judge and many citizens. Commuted May 13, 1909.

HENRY WESTMORELAND.—Assault to murder. Spring term, 1899, of the Superior Court of Fulton county. Twenty years in the penitentiary. He was convicted in two cases and given a sentence of ten years in each case. He was charged with attempting to murder his wife and mother-in-law. On one occasion he went to the house of his mother-in-law to see his wife and child. His wife refused him admittance there being a man at the time in the house with her. He endeavored to force an entrance into the house and his mother-in-law fired at him with a pistol. He returned the fire and the two women were slightly injured. He has now served more than one full sentence of ten years with good conduct. Commuted May 14, 1909.

LEWIS JORDAN.—Gaming. April term, 1908, City Court of Sparta. Twelve months. He was guilty of gaming with several others in which it appears that he was shot in the breast. A certificate of the physician shows that he was now suffering from a dangerous aneurism that is likely to cause his death. Commuted May 24, 1909.

ALBERT KENT.—Murder. Fall term, 1902, of the Superior Court of Screven county. Life imprisonment. The crime was committed at night and the prosecution relied very largely upon the testimony of Mary Mobley who was the only witness who identified the defendant. She has recently admitted that she was not certain that Albert Kent was the man who committed the crime. In view of these admissions the trial judge and solicitor recommend his release. Sentence commuted May 20, 1909.

JOHN DANIEL.—Obstructing legal process. August term, 1904, of the Superior Court of Jackson county. Twelve months. He has served about three and one-half months of his sentence and the judge who presided now recommends that his sentence be commuted to his present service upon the payment of a fine of one hundred dollars. Sentence commuted May 25, 1909.

I. MINDER.—Murder. Superior Court of Bibb county, April term, 1901. Life imprisonment. He

killed the deceased under great provocation. Previous to conviction he bore a reputation of being a quiet, peaceable citizen. Since conviction his mind and health have become very much impaired and he is now practically a mental and physical wreck. He has served over seven years and his release is urged by many prominent citizens of Macon who promise that he will be given proper medical treatment and not become a charge upon the public. Commuted May 28, 1909.

HENRY COHEN.—Murder. April term, 1893, of the Superior Court of Rockdale county. Life imprisonment. He was convicted for killing his wife which he claimed was accidental. Facts have developed since the trial which discredit the testimony of the principal witness against him. He has been in the penitentiary sixteen years. His conduct has been good. The jury which convicted him and many citizens now petition for his release. Commuted May 28, 1909.

ENOS KNIGHT.—Murder. Spring term, 1901, of the Superior Court of Meriwether county. Life imprisonment. He has always protested his innocence. He has served eight years with good conduct. His release is recommended by county officials, every member of the trial jury now living,

the grand jury which indicted him and the judge who presided at the trial. Commuted May 29, 1909.

JAMES DRURY.—Misdemeanor. October term, 1908, of the Superior Court of Chatham county. Twelve months. This was his first offense and he has now served about eight months with good conduct. Commuted May 29, 1909.

SAM COSBY.—Manslaughter. September term, 1903, of the Superior Court of Echols county. Eight years in the penitentiary. He has served all but about two years of his sentence. He has but one arm and the other arm is badly afflicted. He captured an escaped convict and assisted in capturing another. His conduct has been good. Commuted June 5, 1909.

CHARLES FIELDS.—Murder. June term, 1908, of the Superior Court of Muscogee county. Life imprisonment. He is now sixty-six years of age and worn out from work. On one occasion when three convicts caught a guard and tried to take his gun he knocked them loose from the guard and thereby prevented two squads of convicts from being liberated. His conduct has been good. Commuted June 5, 1909.

WILLIAM FIELDS.—Arson. November term, 1888, of the Superior Court of Liberty county. Life im-

prisonment. He has served twenty years with good conduct and is now sixty-nine years of age. On one occasion the building caught fire from lightning and he guarded the gate and prevented the prisoners from escaping until assistance could arrive. Commuted June 5, 1909.

JACK GRIFFITH.—Murder. August term, 1898, of the Superior Court of Oconee county. Life imprisonment. He now has tuberculosis and physician states that he can not recover. He has served over ten years with good conduct. Commuted June 5, 1909.

BUTLER HATCHER.—Murder. April term, 1880, of the Superior Court of Floyd county. Life imprisonment. He has been in the penitentiary over twenty-eight years and has been a trusty for about ten years. He is old and broken down and unable to work. Commuted to present service June 5, 1909.

BOB JOHNSON.—Attempt to murder. November term, 1907, of the Superior Court of Marion county. Sixteen years in the penitentiary. He is now totally blind, his eyes having been blown out by dynamite at the coal mine where working as a convict. Commuted to present service June 5, 1909.

JASPER MOORE.—Murder. May term, 1884, of the Superior Court of Stewart county. Life imprison-

ment. He has served twenty-five years with good conduct and is now seventy-two years of age. Commuted to present service June 5, 1909.

LEWIS MOORE.—Manslaughter. January term, 1902, of the Superior Court of Harris county. Twelve years. He now has incipient consumption and since being in the penitentiary he has lost a leg in the coal mines. His conduct has been good. Commuted to present service June 5, 1909.

MARY WASHINGTON.—Murder. June term, 1894, of the Superior Court of Chatham county. Life imprisonment. She is forty-six years of age and has been in the penitentiary nearly fifteen years. She has an incurable cancer of the womb from which she has constant hemorrhages. Commuted to present service June 5, 1909.

VICEY LARAMORE.—Arson. September term, 1889, of the Superior Court of Chatham county. Life imprisonment. She was convicted of burning a negro dwelling house and has now served about twenty years with good conduct. The physician states that she is badly afflicted with hyrid cysts all through the abdominal cavity and is unable to work. Commuted to present service June 5, 1909.

EUGENE McWHORTER.—Burglary. June term, 1903, of the Superior Court of Bibb county. Twenty

years in the penitentiary. While at work in the coal mines falling slate injured his back and caused complete paralysis of both of his legs. He is now in a helpless and harmless condition. He has a sister in Macon who will take care of him. Commuted to present service June 5, 1909.

JOHN JONES.—Murder. October term, 1892, of the Superior Court of Tattnall county. Life imprisonment. He is sixty-three years of age and has served over sixteen years with good conduct. He has syphilitic rheumatism and is broken down and unable to work. Commuted to present service June 5, 1909.

CHARLES SHULER.—Burglary. October term, 1877, of the Superior Court of Lowndes county. Fifteen years. While serving his term for burglary he got into a fight with another convict and killed him for which he was sentenced to life imprisonment. He is now sixty-five years of age and has served for thirty-two years. For a great many years his conduct has been good. Commuted to present service June 5, 1909.

GEORGE DICKSON.—Murder. April term, 1897, of the Superior Court of Richmond county. Life imprisonment. He killed another negro which he claimed was accidental. While working in the coal

mine he lost a leg by falling slate. He has served nearly twelve years with good conduct. Commuted to present service June 5, 1909.

HAMP JOHNSON.—Burglary. October term, 1894, of the Superior Court of Houston county Twenty years. Since being in the penitentiary he has lost one of his legs in a saw mill. He has served nearly fifteen years with good conduct. Commuted to present service June 5, 1909.

JEFF STAPLER.—Murder. February term, 1892, of the Superior Court of Jackson county. Life imprisonment. He killed a negro man who he claimed was at the time reaching for his gun to shoot him. While serving as a convict in the coal mine he lost one of his legs. He has served over sixteen years with good conduct. Commuted to present service, June 5, 1909.

JOHN EVANS.—Murder. September term, 1882, of the Superior Court of Walker county Life imprisonment. He is sixty-three years of age and has now served twenty-seven years with good conduct. He has been a trusty for many years. Commuted to present service June 5, 1909.

JOHN FOX.—Manslaughter October term, 1904, of the Superior Court of Warren county Seven



years in the penitentiary. While working in the coal mine his arm was fractured and badly injured by falling slate. Counting his time for good behavior he has only about one year more to serve. Commuted to present service June 5, 1909.

GINSEY MAYS.—Murder. April term, 1886, of the Superior Court of Butts county. Life imprisonment. She was convicted for killing her husband and she was only fifteen years of age. She says that he was whipping her and she shot him with a pistol. She has served twenty-three years with good conduct. Commuted to present service June 5, 1909.

DAN SMITH.—Murder. October term, 1898, of the Superior Court of Appling county. Life imprisonment. Since being in prison he has been operated on for gall stones and is now practically helpless. He is fifty-two years of age and his conduct has been good. Commuted to present service June 5, 1909.

BEN SIKES.—Voluntary manslaughter. April term, 1905, of the Superior Court of Tattnall county. Seven years in the penitentiary. He was only fifteen years old when the crime was committed and he has always claimed that the killing was an accident. Clemency is recommended by the judge and solicitor who tried him, eleven of the trial jurors, county officials and many citizens. Commuted to present service June 8, 1909.

## REMOVAL OF DISABILITIES.

E. T. KELLY.—Superior Court of Newton county Larceny Ten years. He served out the sentence imposed upon him about thirty years ago and has since been a law-abiding citizen. Disabilities removed May 16, 1908.

LEE B. JONES.—Spring term, 1903, of the Superior Court of Dooly county. Embezzlement. Sentenced as for a misdemeanor. He paid the fine imposed by the court and has since been a law-abiding citizen. Disabilities removed August 18, 1908.

THOMAS CHAPMAN.—Accessory to arson. Spring term, 1901, of the Superior Court of Hall county Two years. Some doubt existed as to his guilt, but he went at once to prison and served his full sentence. He has since been an industrious, law-abiding citizen. Disabilities removed August 31, 1908.

IRA H. FARRILL.—Larceny October term, 1906, of the Superior Court of Rockdale county. Fine of \$25.00. The offense was committed while he was drunk. He plead guilty and promptly paid the fine. His conduct has since been good. Disabilities removed October 22, 1908.

J. B. BRACKET.—Receiving stolen goods. October term, 1901, of the Superior Court of Whitfield

county. Five years. He served his term with good conduct and has since been a law-abiding citizen. Disabilities removed October 22, 1908.

THOMAS P FLYNN.—Taking oysters. November term, 1900, of the City Court of Brunswick. Fine of \$400.00 or six months. He plead guilty, although it appears that he was in fact guilty, and paid the fine. He has always borne the reputation of a law-abiding citizen. Disabilities removed October 22, 1908.

JOHN F HOKE.—Larceny. Superior Court of Liberty county. Five years. He served his sentence with good conduct and has since been a good citizen. Disabilities removed November 5, 1908.

BLUTCHER B. SMITH.—Embezzlement. April term, 1902, of the Superior Court of Houston county. Fine of \$450.00. He promptly paid the fine and has since been an industrious, law-abiding citizen. Disabilities removed December 17, 1908.

J. J CARROLL.—Larceny. Fall term, 1904, Superior Court of Fulton County. Four years. He served his full sentence, and since his release has been a trustworthy employee and has established a reputation as an industrious, good citizen. Disabilities removed January 11, 1909.

## PAROLES GRANTED.

LENA REDD.—Escape. July term, 1907, Superior Court of Muscogee county. Sentenced to the reformatory. Since her imprisonment her conduct has been exemplary, and arrangements have been made to provide her a home in a Christian family in the city of Atlanta. Parole granted December 17, 1908.

ELISHA BRAMLETT.—Voluntary manslaughter. Spring term, 1903, Superior Court of Gilmer county. Twenty years. He served about six years with good conduct. His release is recommended by the judge who tried him, by the grand jury, trial jury and many citizens. Parole granted March 12, 1909.

MAT CRAWFORD.—Manslaughter. Spring term, 1906, of the Superior Court of Greene county. Five years. He has served the minimum sentence fixed by law with good conduct. Previous character good. Parole granted March 26, 1909.

HERMAN McELROY.—Burglary. Fall term, 1905, Superior Court of Fulton. He has served the minimum sentence with good conduct. Employment will be given him immediately on his release. Parole granted March 31, 1909.

JOHN H. COLEMAN.—Felony. November term, 1898, of the Superior Court of Cobb county. Twenty

years. He is now nearly eighty years of age, infirm and diseased, and has served with good conduct almost the entire sentence. Parole granted March 31, 1909.

OLIVER WILCOX.—Voluntary manslaughter. April term, 1905, of the Superior Court of Telfair county. Ten years. He committed the crime when nineteen years of age. The deceased was a desperate character and had pursued the defendant for some time previous to the killing. He has served with good conduct more than the minimum sentence fixed by law. Parole granted April 1, 1909.

DAN LYON.—Accessory to murder. September term, 1884, Superior Court of Newton county. Life imprisonment. He was convicted on circumstantial evidence and has served twenty-five years with good conduct. Parole granted April 1, 1909.

SON BALDWIN.—Manslaughter. April term, 1900, Superior Court of Clarke county. Fifteen years. He was a small boy when the crime was committed and was convicted on testimony which the trial judge now thinks was of doubtful character. The judge and jury recommend clemency. Parole granted April 1, 1909.

RICH FARGASON.—Voluntary manslaughter. September term, 1906, of the Superior Court of Morgan

county. Six years. He has served the minimum sentence with good conduct, and his release is recommended by the solicitor-general and citizens. Parole granted April 1, 1909.

ARTHUR RICHARDSON.—Burglary. January term, 1907, Superior Court of Hall county. Seven years. The jury recommended that he be punished as for a misdemeanor. It has been shown that he was a victim of the morphine habit and was not a professional burglar. Parole granted April 1, 1909.

BULLY ARTEMUS.—Murder. January term, 1887, Superior Court of Fulton county. Life imprisonment. He has served twenty-two years with good conduct. There are facts and circumstances which raise considerable doubt as to his guilt. Parole granted April 1, 1909.

SILLY STOKES.—Burglary. Spring term, 1901, of the Superior Court of Dougherty county. Eighteen years. He has been a trusty for eight years. His previous character was good. The goods stolen were of small value. Parole granted April 6, 1909.

ASHLEY McDUFFIE.—Voluntary manslaughter. September term, 1904, of the Superior Court of Wilcox county. Ten years in the penitentiary. He has served more than the minimum sentence and imme-

mediate employment has been provided for him. Previous to conviction his character was good. Parole granted April 12th, 1909.

JOE HOLT.—Burglary. August term, 1905, of the Superior Court of Polk county. Six years in the penitentiary. He has served more than the minimum sentence with good conduct and clemency is recommended by Judge Moses Wright and Judge Bartlett. Parole granted April 13th, 1909.

WILL TINSLEY.—Assault to murder. August term, 1908, of the Superior Court of Terrell county. Three years in the penitentiary. Tinsley is a young white man who has made a model prisoner. He has served more than the minimum sentence and his parole is requested by county officers and many citizens. Parole granted April 13, 1909.

FLOYD PAYNE.—Robbery. August term, 1903, of the Superior Court of Jackson county. Twenty years in the penitentiary. He was only twenty years old when the crime was committed and he was drunk at the time. Previous to this act he was a sober hard working boy. Judge Russell and Solicitor Tribble recommend clemency. Parole granted April 13, 1909.

A. L. FRIERSON.—Voluntary manslaughter. May term, 1905, of the Superior Court of Lowndes county.

Ten years. He has served more than the minimum sentence with good conduct. Previous to conviction his character was good. Parole granted April 13, 1909.

GEORGE GARDNER.—Assault to murder. Fall term, 1906, of the Superior Court of Cobb county. Ten years in the penitentiary. Clemency is recommended by the trial judge and solicitor. He has served more than the minimum sentence with good conduct. Parole granted April 13, 1909.

HOMER NELSON.—Assault to murder. January term, 1908, of the Superior Court of Fulton county. Four years in the penitentiary. He has served the minimum sentence with good conduct. The county physician certifies that he has been sick for three months. Clemency is recommended by the trial judge and solicitor. Parole granted April 13, 1909.

PETER CLARK.—Voluntary manslaughter. November term, 1906, of the Superior Court of Randolph county. Ten years in the penitentiary. He has served more than the minimum sentence with good conduct and clemency is recommended by the trial judge and solicitor, the trial jury and other citizens. Parole granted April 13th.

W EUGENE RUMNEY.—Bigamy. Spring term, 1907, of the Superior Court of Bibb county. Four



years in the penitentiary. He has served more than half his sentence with good conduct and has an old mother and two children who need his assistance. Many citizens recommend clemency. Parole granted April 13, 1909.

HAROLD COLLINS.—Robbery. Spring term, 1906, of the Superior Court of Fulton county. Ten years in the penitentiary. He has developed tuberculosis. The prosecutor recommends clemency. He has served more than the minimum sentence with good conduct. Parole granted April 13, 1909.

ANDY HOLLINGSWORTH.—Murder. Fall term, 1885, of the Superior Court of Liberty county. Life imprisonment. He has been in the penitentiary more than twenty-three years. His conduct has been exemplary. He is now quite old and afflicted with an incurable disease. Parole granted April 14, 1909.

THOMAS KEMP.—Murder. January term, 1899, of the Superior Court of Marion county. Life imprisonment. He has served ten years with good conduct. Clemency is recommended by the trial jury and the county officers. Parole granted April 14, 1909.

ALLEN SIKES.—Murder. April term, 1889, of the Superior Court of Telfair county. Life imprisonment. He has served twenty years with good con-

duct, and clemency is recommended by the trial judge, the solicitor general, several members of the trial jury and many citizens. Parole granted April 15, 1909.

PAUL LAWSON.—Murder. Spring term, 1881, of the Superior Court of Burke county. Life imprisonment. This man has served in the penitentiary twenty-eight years during all of which time his conduct has been exemplary. Parole granted April 14, 1909.

DAVID JEFFERSON.—Voluntary manslaughter. March term, 1902, of the Superior Court of Greene county. Ten years in the penitentiary. He was only eleven years of age when the crime was committed and he has served over seven years with good conduct. Parole granted May 13, 1909.

### RESPITES.

JOHN HARPER.—Murder. August term, 1907, of the Superior Court of Murray county. Sentenced to be hanged. Respite granted until August 21, 1908, in order to allow the defendant to present a motion for a new trial at the next term of the Superior Court of Murray county.

NEIL RYALS.—Felony. March term, 1908, of the Superior Court of Appling county. Respite granted

until August 14, 1908, in order to give the Prison Commission sufficient time to pass upon the application for commutation of sentence.

LUCIUS TRUITT.—Murder. Superior Court of Troup county. Sentenced to be hanged. Respite granted until January 2, 1909, in order to give the defendant sufficient time to make his final preparations for the execution.

JACK CAIN —January term, 1909, of the Superior Court of Spalding county. Sentenced to death. Respite granted until February 26, 1909, in order that a petition for commutation of sentence may be considered and passed upon by the Prison Commission.

SIMON JEFFERSON.—Murder. March term, 1908, of the Superior Court of Wilcox county. Sentenced to death. Respite granted until November 6, 1908, in order to give the Governor sufficient time to pass upon an application for commutation of sentence.

GORDON BAILEY.—Selling whiskey. City Court of Macon. January term, 1909. Fine of \$750.00 or twelve months. Respite granted until March 1, 1909, in order to give the Governor and the Prison Commission sufficient time to pass upon an application for commutation of sentence.

On motion, the Senate adjourned until tomorrow morning at 10 o'clock.

## SENATE CHAMBER, ATLANTA, GEORGIA.

THURSDAY, June 24, 1909.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll, the following members answered to their names:

Akin	Johnson	Patterson
Bowen	Jackson	Price
Burwell	Kemp	Perry
Blackwell	King	Pitts
Calloway of 10th	Longley	Rutheford
Calloway of 29th	Mays	Rudicil
Calhoun	Murray	Slater
Cates	Morris	Sellers
Conley	Mathews	Stevens
Day	McLean	Ward of 5th
Gordy	McDowell	Ward of 7th
Griffith	McCurry	Womble
Harrell	McWilliams	Wood
Harben	McCollum	
Irwin	McClure	

The Journal of yesterday was read and approved.

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has concurred in the following resolutions of the Senate, to-wit:

A resolution providing for a joint session tomorrow, June 24th, to canvass and consolidate the election of Governor and other State House officers.

A resolution providing for a committee to provide for the inauguration of the Governor-elect.

The following members have been appointed as committee on the part of the House, to-wit:

Messrs. Hall, Anderson, of Chatham, Garlington, Daniel, McCutchen.

ATLANTA, GA., June 23, 1909.

The following message was received from His Excellency the Governor, through his Secretary, Mr Carter:

*Mr. President:*

I am directed by His Excellency the Governor, to deliver to the Senate a written communication to which he respectfully invites the consideration of your honorable body in executive session.

At 10:20 o'clock the Senate went into executive session.

The hour of 11 o'clock having arrived, the Senate repaired to the Hall of the House of Representatives for the purpose of opening, counting and declaring the result in the election of Governor and other State House officers. The President of the Senate took the Chair and called the General Assembly to order.

The President appointed the following gentlemen as tellers: Senator Griffin, 38th district, Mr. Parker, of Talbot, and Mr. Fullbright, of Burke.

After performing said duty, the tellers submitted the following report:

Report of tellers appointed to count the vote and declare the result.

*Mr. President:*

We, the tellers appointed to count the votes and declare the result, respectfully report that

For Governor:

Joseph M. Brown, of Cobb, received 130,895 votes.

Yancey Carter, of Hart, received 12,110 votes

And we declare Joseph M. Brown duly elected Governor of Georgia for the ensuing two years by a majority of 118,785 votes.

The following officers were elected without opposition:

For Secretary of State:

Philip Cook received 125,722 votes.

For Comptroller-General:

William A. Wright received 125,028 votes.

For Treasurer:

Robert E. Park received 125,647 votes.

For Attorney-General:

John C. Hart received 125,122 votes.

For Commissioner of Agriculture:

T. G. Hudson received 125,428 votes.

For State School Commissioner:

J. M. Pound received 125,486 votes.

For Prison Commissioner:

Wiley Williams received 123,448 votes.

For Railroad Commissioners:

Fuller E. Callaway received 112,814 votes.

George Hillyer received 112,858 votes.

H. Warner Hill received 112,941 votes.

For Pension Commissioner:

J. W. Lindsay received 60,276 votes; the same being a majority of all the votes cast.

E. S. GRIFFITH,

W. M. PARKER,

H. J. FULLBRIGHT

The foregoing report of the tellers was read and agreed to, and the President of the Senate declared the officers therein named duly elected.

On motion, the joint session was dissolved and the Senate repaired to the Senate Chamber and was called to order by the President.

The following is the report of the committee to arrange for the inauguration of the Governor-elect:

*Mr President:*

Your committee appointed under joint resolution to act in concert with a like committee from the House to arrange for the inaugural ceremonies of



the Governor-elect on Saturday, June 26th inst., beg leave to report and recommend the adoption of the following resolutions:

1st. That a joint session of the General Assembly shall be held in the hall of the House of Representatives at 11:50 A. M. on Saturday, June 26th inst., for the purpose of inaugurating the Governor at 12 o'clock noon, as provided by law

2nd. That the inauguration committees of the Senate and House, together with the various officials and persons to take part in the procession, shall assemble in the executive reception room in the Capitol at 11:45 A. M. to escort the Governor-elect into the hall of the House of Representatives.

3rd. That the order of procession shall be as follows:

(a) The Inauguration Committee of the Senate and House escorting the Governor and the Governor-elect.

(b) Ex-Governors of the State.

(c) The family and party of the Governor-elect.

(d) The Justices of the Supreme Court and the Judges of the Court of Appeals.

(e) The Judges of the Federal and State Courts.

(f) The State officials.

4th. That the order of proceedings by the joint session of the General Assembly shall be as follows:

(a) Invocation by the Rev John E. White

(b) Presentation of the Governor-elect to the General Assembly by the President of the Senate

(c) Inaugural address by the Governor.

(d) Administration of the oath of office to the Governor by the Chief Justice of the Supreme Court.

(e) Delivery of the Great Seal of the State to the Governor by the retiring Governor.

5th. That the recessional shall be in the same order as the original procession and shall escort the Governor and his wife to the executive office in the State Capitol.

6th. Adjournment of joint session of the General Assembly

R. D. CALLAWAY, 29th district,

Chairman.

The report was adopted.

By unanimous consent, the following Senate Bills were read first time:

By Mr. McCurry—

A bill to alter and amend the Constitution of Georgia so as to provide for biennial sessions of the General Assembly

Referred to Constitutional Amendments Committee.

By Mr. McCurry—

A bill to provide for the election of County School Commissioners of this State by a vote of the people.

Referred to the Committee on Education.

By Mr. Slater—

A bill to amend the Constitution of this State so as to provide for biennial sessions of the General Assembly

Referred to the Committee on Constitutional Amendments.

By Mr. Pitts—

A bill to amend the Constitution of this State so as to provide for the appointment of Judges and

Solicitors of the Superior Courts of this State, instead of electing them by the people.

Referred to the General Judiciary Committee.

By Mr. Ward, of the 5th—

A bill to require all railroads doing business in this State to fence their road beds.

Referred to the General Judiciary Committee.

By Mr. Morris—

A bill to amend the Constitution of this State so as to authorize municipalities to increase their indebtedness beyond the amount allowed by the Constitution.

Referred to the Committee on Constitutional Amendments.

By Mr. Callaway, of the 29th—

A bill to be entitled an Act to provide for the protection of game animals and game birds.

Referred to the Agricultural Committee.

By Mr. Morris—

A bill to prohibit the using or giving away of trading stamps in this State.

Referred to the Special Judiciary Committee.

On motion, the Senate adjourned until tomorrow morning at 10 o'clock.

## SENATE CHAMBER, ATLANTA, GEORGIA.

FRIDAY, June 25, 1909.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon call of the roll, the following members answered to their names:

Akin	Johnson	Patterson
Bowen	Jackson	Price
Burwell	Kemp	Perry
Blackwell	King	Pitts
Calloway of 10th	Longley	Rutheford
Calloway of 29th	Mays	Rudieil
Calhoun	Murray	Slater
Cates	Morris	Sellers
Conley	Mathews	Stevens
Day	McLean	Ward of 5th
Gordy	McDowell	Ward of 7th
Griffith	McCurry	Womble
Harrell	McWilliams	Wood
Harben	McCollum	Mr. President
Irwin	McClure	

The Journal of yesterday was read and approved.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House has adopted the report of the joint committee appointed to arrange for the inaugural ceremonies of the Governor-elect Saturday, June 26th, 1909.

By unanimous consent, the following Senate bills were read first time:

By Mr. Burwell—

A bill to amend the Act creating the City Court of Sparta in the County of Hancock, to prescribe for the powers and duties of its officers.

Referred to the Special Judiciary Committee.

By Mr. Irwin—

A bill to repeal an Act of the General Assembly establishing the City Court of Dawson.

Referred to the Special Judiciary Committee.

By Mr. Morris—

A bill to authorize the City Council of Augusta to acquire by condemnation certain real property in the City of Augusta.

Referred to the Counties and County Matters Committee.

By Mr. McCurry—

A bill to authorize and provide for the filing and hearing and determining motions for new trials on extraordinary grounds in vacation.

Referred to the General Judiciary Committee.

By Mr. McCurry—

A bill to amend Section 1030 of the Code.

Referred to the General Judiciary Committee.

By Mr. McCurry—

A bill to make penal the wilfully falsely uttering or circulating any defamatory words or statements derogatory to the fair fame or reputation of any virtuous unmarried female and for other purposes.

Referred to the General Judiciary Committee.

By Mr. Callaway, of 29th—

A bill to fix the salary of the Stenographer in the office of Attorney-General.

Referred to the Appropriations Committee.



By Mr. Ward, of 7th—

A bill to amend Section I, Paragraph 8, Article 5, of the Constitution of this State, and for other purposes.

Referred to the Committee on Amendments to Constitution.

By Mr. Pitts—

A bill to amend the road laws of this State.

Referred to the Committee on Amendments to Constitution.

By Mr. Ward, of 7th—

A bill to direct the Insurance Commissioner to cancel the license of any insurance company which removes or attempts to remove from any court any suit action or course brought against said company, and for other purposes.

Referred to the General Judiciary Committee.

By Mr. Calhoun—

A bill to authorize verdicts and judgments at their first term in the Superior Courts in this State.

Referred to the General Judiciary Committee

By Mr. Ward, of 7th—

A bill to amend Section 526 of the political Code defining persons subject to road duty in this State.

Referred to the General Judiciary Committee.

By Mr. Harrell—

A bill to enable planters and farmers to execute a lien on their crops before same is planted.

Referred to the General Judiciary Committee.

The following resolutions were read and adopted:

By Mr. Longley—

A resolution calling attention of the President of the United States to the fact that the South does not get its share of the consular appointments, and requesting him to consider the same.

The following bill was read first time:

By Mr. Sellers—

A bill to amend Paragraph 1, Section 1, Article 7

of the Constitution of this State, relative to the payment of pensions of Confederate veterans.

Referred to the Constitutional Amendments Committee.

ATLANTA, GA., June 25th, 1909.

The following message was received from His Excellency the Governor, through his Secretary, Mr. Carter:

*Mr President:*

I am directed by His Excellency the Governor, to deliver to the Senate a communication in writing.

EXECUTIVE DEPARTMENT.

ATLANTA, June 25th, 1909.

*To the General Assembly:*

On the 24th day of June, 1909, I suspended Mr. S. G. McLendon from the office of Railroad Commissioner. In pursuance of the requirements of law I have the honor to report to you the fact of such suspension and the reasons therefor.

The Act of 1878 and 1879, as contained in Code Section 2185, provides that "any Commissioner may be suspended from office by order of the Governor,

who shall report the fact of such suspension, and the reasons therefor, to the next General Assembly, and if a majority of each branch of the General Assembly declare that said Commissioner shall be removed from office, his term of office shall expire "

Further on in the Section it is provided that "in case any Commissioner becomes disqualified in any way he shall at once remove the disqualification or resign, or, on failure to do so, he must be suspended from the office by the Governor."

The last provision for the suspension of a Commissioner by the Governor is mandatory. Under its terms the Governor must remove the Commissioner for causes specified.

The first provision is discretionary and under its terms the Governor may remove for causes which he deems sufficient.

I regard the effect of the first provision to be similar to the right of recall. .

The limitation which is placed upon the action of the Governor is that the Legislature must subsequently pass upon the question. The Legislature may remove the Commissioner or restore him.

Mr. McLendon was nominated for Railroad Commissioner in September, 1906, at the Convention held in the city of Macon. The delegates to this

Convention were selected after a campaign extending all over the State for months, in which the duties of a Railroad Commissioner and railroad supervision and regulation by the Railroad Commission were fully discussed.

There are two definite schools of thought upon this subject, and the attitude of the Macon Convention was unmistakable.

Prior to the selection of delegates to the Macon Convention, and during the campaign referred to, Mr. McLendon published a number of able articles advocating the policies represented by the delegates to the Macon Convention. That Convention declared its policies upon the subject of railroad regulation and supervision in a definite platform.

Although Mr. McLendon had for years been in the employ of railroad companies his business connection with them had ceased prior to the publication of the letters referred to, and his attitude as presented in those letters was largely responsible for his nomination by the Macon Convention and for his subsequent election.

He accepted the nomination on the platform adopted at Macon, and his prior conduct justified those who gave him the nomination, and those who elected him, in believing that he was in perfect sympathy with the principles laid down in the platform of the Convention.

Later on I suspended Mr. Joseph M. Brown as Commissioner. I appointed Mr McLendon to take his place, convinced by his utterances and conduct that he would be loyal to the principles enunciated in the Macon platform.

•

For the past few months his official conduct, and his public utterances have indicated that he had abandoned the principles to which he was committed and upon professions of which he obtained the position of Railroad Commissioner.

I will call attention to a few instances of conduct on his part to illustrate what I mean.

When the railroads from the West put up the rates into Georgia last fall he opposed any resistance before the Interstate Commerce Commission of the increase of rates, and after the Georgia Railroad Commission determined to fight the increased rates, although Chairman of the Commission, he gave no assistance to the attorneys for the State in the litigation. On the contrary, his conduct indicated sympathy with the railroad side of the question.

Although one of the rules of the Commission excluded the use of free passes, Mr McLendon used free transportation to go over the Atlanta and West Point Railroad, using the private car of the President of the road for the purpose. This conduct violated the rules of the Commission and the principles laid down in the Macon platform, yet he only

gave up his purpose to continue this practice on account of a letter from me notifying him that I would "insist" that it should not be followed by Railroad Commissioners while I was Governor.

His conduct has indicated clearly a desire to increase the passenger rates on the Georgia Railroad, although such an increase is unnecessary for the purpose of giving reasonable compensation and profits to this company, and would be unjust to the traveling public.

He has resisted the lowering of freight rates to and from the ports of Georgia to interior points, although such reductions would be reasonable and compensatory to the railroad companies, and of great benefit to the people of the State.

He was himself committed to this policy when he secured the office, and he morally bound himself to stand by this policy while in office when he accepted the nomination upon the platform which approved it.

He has sought to anticipate decision of the Railroad Commission by getting into the press arguments against reduction of rates.

Indeed, since the summer of 1908, he has shown by his conduct from time to time a complete abandonment of the principles and professions which secured to him his nomination, election and appointment, and has put himself in line with the most extreme opposing school of thought.

In my opinion, all these acts of Mr. McLendon are hostile to the best interests of the people of Georgia and together amount to an abandonment by him of the obligations which he assumed by his professions and the platform which gave him his nomination, election and appointment.

He unites abandonment of election obligations with policies hostile to the interests of the people of the State.

With the two conditions combined I felt called upon to exercise my discretionary power, and suspend him from the position of Commissioner, submitting to you the question to determine whether, in view of these facts, you will remove him from office or restore him to office.

As my term of office ends tomorrow I shall make no appointment to fill the position from which I have suspended Mr. McLendon.

•

HOKE SMITH, Governor.

The following resolution was read:

By Mr. Burwell—

A resolution to provide for the appointment of a committee of five from the Senate and seven from the House to investigate the suspension of S. G.



McLendon as Railroad Commissioner by the Governor.

On the adoption of this resolution Mr. Slater called for the ayes and nays, and the call was sustained.

On the adoption of the resolution the vote is as follows:

Those voting in the affirmative were Messrs:

Akin	Harben	McWilliams
Bowen	Johnson	McClure
Burwell	Jackson	Perry
Blackwell	King	Pitts
Calloway of 10th	Longley	Rutherford
Calhoun	Mays	Stevens
Cates	Murray	Ward of 5th
Conley	Mathews	Ward of 7th
Harrell	McDowell	Wood

Those voting in the negative were Messrs:

Calloway of 29th	Kemp	Patterson
Day	Morris	Price
Gordy	• McLean	Rudicil
Griffith	McCurry	Slater
Irwin	McCollum	Sellers

Those not voting were Messrs:

Womble                      Mr. President

The resolution was adopted and ordered immediately transmitted to the House.

On motion the Senate adjourned until tomorrow morning at 10 o'clock.

## SENATE CHAMBER, ATLANTA, GEORGIA.

SATURDAY, June 26th, 1909.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll, the following members answered to their names:

Akin	Johnson	Patterson
Bowen	Jackson	Price
Burwell	Kemp	Perry
Blackwell	King	Pitts
Calloway of 10th	Longley	Rutherford
Calloway of 29th	Mays	Rudieil
Calhoun	Murray	Slater
Cates	Morris	Sellers
Conley	Mathews	Stevens
Day	McLean	Ward of 5th
Gordy	McDowell	Ward of 7th
Griffith	McCurry	Womble
Harrell	McWilliams	Wood
Harben	McCollum	Mr. President
Irwin	McClure	

The Journal of yesterday was read and approved.

The following resolution was read first time:

By Mr. Pitts—

A resolution to appoint a committee of two from the Senate and three from the House to draft a bill to re-arrange the Judicial Circuits of this State.

On motion the Senate took a recess until 11:30 o'clock today

The Senate was called to order by the President at 11:30 o'clock.

ATLANTA, GA., June 26th, 1909.

The following message was received from His Excellency the Governor, through his Secretary, Mr. Carter:

*Mr. President:*

I am directed by His Excellency the Governor, to deliver to the Senate a communication in writing.

The following is the message.

## STATE OF GEORGIA,

EXECUTIVE DEPARTMENT,

ATLANTA, June 26th, 1909.

*To the General Assembly:*

Since the preparation of my annual message executive clemency has been extended by me to the following persons:

REUBIN McLAUGHLIN. Misdemeanor Superior

Court of Telfair County. Twelve months on the chaingang. His pardon was recommended by the Chairman of the County Commissioners on the ground that his lower limbs are completely paralyzed and he is in a helpless condition. Pardon granted June 16th, 1909.

HENRY McLARIN. Perjury. February term, 1908, of the Superior Court of Campbell County. Four years in the penitentiary. The evidence against him was of doubtful character. His previous character was good and the trial judge recommends his pardon. He has served eighteen months with good conduct. Sentence commuted to present service June 16th, 1909.

EDWARD MURPHY. Burglary. December term, 1906, of the Superior Court of Fulton County. Sentenced to the reformatory. This little white boy was convicted when only ten years old. He has served twenty-nine months at the reformatory with good conduct and his father desires his release in order that he may place the boy in a good training school. Pardon granted June 16th, 1909.

C. W. HUMPHREYS. Forgery. Fall term, 1906, of the Superior Court of Gwinnett County. Fifteen years in the penitentiary. He plead guilty in two cases and has served nearly three years with good conduct. The presiding judge and a great number of citizens request his pardon. Pardon granted June 17th, 1909.

JIM RICHARDSON. Murder. Spring term, 1891, of the Superior Court of Fulton County. Life imprisonment. He has served eighteen years with good conduct. Newly discovered evidence raises a most serious doubt as to his guilt. Sentence commuted to present service June 17th, 1909.

J L. STALNAKER. Voluntary Manslaughter. October term, 1897, of the Superior Court of Taylor County. Twenty years. He has served nearly twelve years with good conduct. He is now at the State farm in a bad state of health. Parole granted June 19th, 1909.

JOHN BLASINGAME. Murder. August term, 1903, of the Superior Court of Murray County. Life imprisonment. He was quite young when the crime was committed and his pardon is recommended by the jury which tried the case, the Judge and Solicitor General and many citizens. Pardon granted June 21st, 1909.

BILL YOUNG. Murder. October term, 1900, of the Superior Court of Henry County. Life imprisonment. The evidence was entirely circumstantial. He was jointly indicted with two others. The Supreme Court reversed the conviction in the others on the ground that the evidence was insufficient. He has served about nine years with excellent conduct and is now about sixty-five years of age and unable to do but little work. Sentence commuted to present service June 21st, 1909.

ANDERSON SEAY. Murder. October term, 1899, of the Superior Court of Stewart County. Life imprisonment. His release is requested by the son of the deceased and the prosecuting attorney. He has served about ten years with good conduct and is now old and unable to do but little work. Commuted to present service June 22nd, 1909.

ED PATTON. Murder. August term, 1902, of the Superior Court of Polk County. Life imprisonment. He was twice tried and convicted with recommendation to life imprisonment. The Supreme Court reversed the first decision on the ground that the evidence was not sufficient. The second case was not carried to the Supreme Court. The question of the guilt of the defendant was one of identity and affidavits have been filed which strongly tend to show that he did not do the shooting. His pardon is requested by the trial judge. Pardon granted June 22nd, 1909.

JOHN FOSTER BROOKS. Murder. Superior Court of Hall county, spring term, 1907. Life imprisonment. The wife of the deceased and many prominent citizens request his pardon. The deceased was drinking at the time of the killing and was cursing the defendant's mother. Pardon granted June 21st, 1909.

BARNEY HAYGOOD. Assault and Battery. Spring term, 1909, Superior Court of Walker County. Sentenced to the reformatory. His release is requested

by the judge who sentenced him. Pardon granted June 23rd, 1909.

W. C. FERGUSON. Simple larceny. October term, 1907, of the Superior Court of Fulton County. Four years. The property stolen was recovered by the owner and he requested that Ferguson be pardoned. Commuted to present service June 23rd, 1909.

HERBERT LONG. Burglary. December term, 1906, of the Superior Court of Fulton County. Sentenced to the reformatory. He is about seventeen years of age and a good home with honest employment has been promised if he is released. Parole granted June 23rd, 1909.

ARTHUR CARLISLE. Burglary. (Two cases). April term, 1901, of the Superior Court of Fulton County. Five years in each case. The service under both sentences would have been completed on June 26th and the Judge who tried him recommends his release. Commuted to present service June 23rd, 1909.

JAMES BEER. Larceny. April term, 1909, of the Superior Court of Fulton County. Six months. He was charged with taking a pair of gloves valued at ten or fifteen cents and his pardon is recommended by the Judge and Solicitor. Sentence commuted to present service June 23rd, 1909.

GREEN DOWDY. Larceny from house. March term, 1909, of the City Court of Wilkes County.

Twelve months. The witness against him now states that he swore falsely and his release is requested by the Judge and Solicitor. Sentence commuted to present service June 23rd, 1909.

JOHN GREEN. Murder. November term, 1889, of the Superior Court of Sumter County. Life imprisonment. He has served about eighteen years and his pardon is recommended by the trial Judge and Solicitor. Sentence commuted to present service June 23rd, 1909.

W C. FRIPP. Larceny after trust. Spring term, 1904, of the Superior Court of Chatham County. Three years. He served his sentence and he now asks that his citizenship be restored. This is recommended by the Solicitor-General. Citizenship restored June 23rd, 1909.

C. W. BOWDEN. Murder. Spring term, 1906, of the Superior Court of Laurens County. The difficulty grew out of language used by the deceased in the presence of defendant's wife. The language was so coarse and vulgar that it will not do to repeat. Pardon granted June 24th, 1909.

EMMETT CLARK. Selling whiskey. City Court of Americus. Six months in jail and a fine of three hundred dollars or eight months. His six months in jail will expire in August. He has no money with which to pay the fine and has a wife and number of



children dependent upon him. Sentence commuted to the six months jail sentence June 24th, 1909.

J. S. YEATES. Murder. May term, 1907, of the Superior Court of Decatur County. Life imprisonment. He killed the town marshal who at the time was seeking to make an illegal arrest. He was first convicted of manslaughter. His health is seriously impaired from tuberculosis. All of the trial jurors request his pardon. Pardon granted June 24th, 1909.

L. P. GENTLE. Robbery. April term, 1907, of the Superior Court of Fulton County. Five years. He was only fifteen years of age at the time and was acting under the influence of an older man. He has served two years with good conduct. Pardon granted June 24th, 1909.

MRS. SALLIE FREENEY. Murder. May term, 1907, of the Superior Court of Dodge County. Life imprisonment. It is represented that the deceased was drinking at the time and acted in an improper manner towards the defendant. Sentence commuted to five years in the penitentiary, June 24th, 1909.

MADISON BELL. Larceny. January term, 1908, of the Superior Court of Cobb County. Sentenced to the reformatory. The cow stolen belonged to his brother. The brother has forgiven him and joins in request for his pardon. Pardon granted June 24th, 1909.

JACKSON WARREN Larceny April term, 1909, of the Superior Court of Chatham County. Six months. Complete restoration has been made. His previous character was good and request for his pardon is made by many good citizens. Pardon granted June 24th, 1909.

FRANK TAYLOR. Larceny from the house. January term, 1909, of the City Court of LaGrange. Fine of \$50.00 or nine months on the chaingang. He is a young white boy seventeen years of age and has been confined at the State farm five months. He was charged with taking a watch belonging to his brother-in-law which he pawned for \$2.00. The prosecutor and many citizens request his release. Pardon granted June 25th.

TOM DAVIS. Murder. April term, 1905, of the Superior Court of Heard County. Life imprisonment. The evidence was circumstantial and the Judge, eleven of the trial jurors and many citizens now request his pardon. Sentence commuted to present service June 25th, 1909.

L. E. DAVIS. Selling whiskey. March term, 1909, of the City Court of Atlanta. A fine of \$75.00. The Judge and Solicitor request that he be released on payment of a fine of \$40.00 on the ground of previous good character. Sentence commuted to a fine of \$40.00 June 25th, 1909.

JOSEPH MCKAY. Arson. October term, 1908, of

the Superior Court of Harris County. Four years in the penitentiary. The testimony was entirely circumstantial and failed to connect the defendant with the crime. The trial Judge and eight of the jurors request his pardon. Sentence commuted to present service June 25th, 1909.

FRED HAWKINS. Murder. September term, 1906, Superior Court of Hall County. Life imprisonment. The killing was done at night and the evidence failed to sufficiently identify the defendant as the person who committed the crime. His pardon is requested by 1,600 citizens of the county, by the grand jury, county officers and officers of the City of Gainesville. Sentence commuted to present service June 25th, 1909.

LUMP ETCHERSON. Murder. Superior Court of Walton County, 1898. Life imprisonment. He has served over ten years with good conduct and his pardon is requested by the grand jury, trial jury, county officers, the Judge who presided and many citizens. Pardon granted June 25th, 1909.

MORGAN LOWMAN. Murder. August term, 1899, of the Superior Court of Dawson County. Life imprisonment. No motion for a new trial was made on account of the fact that the presiding Judge stated he thought the verdict should have been for manslaughter and that at the end of five years he would recommend a pardon. The presiding Judge is now dead. The jury which convicted him and

many citizens request his release. Pardon granted June 25th, 1909.

C. N. WHITTEN. Murder. Spring term, 1898, of the Superior Court of Whitfield County. Life imprisonment. The evidence left doubt as to his identity. He has served over eleven years with good conduct. The trial jury, the Judge and Solicitor and many citizens request his pardon. Pardon granted June 25th, 1909.

W. S. MAHAFFEY. Selling whiskey. February term, 1908, of the City Court of Atlanta. Sentenced to twenty-four months in the chaingang. He has served all of one sentence and more than half of the other. The trial Judge recommends his pardon. Pardon granted June 25th, 1909.

S. R. HERRINGTON. Murder. April term, 1906, of the Superior Court of Burke County. Life imprisonment. He is at the State farm in a crippled condition and unable to do any work. He is sixty-one years of age and has but one arm and only two fingers on the other hand. His pardon is requested by the trial Judge and Solicitor. Pardon granted June 25th, 1909.

GEORGE LILLARD. Assault with intent to murder. November term, 1906, of the Superior Court of Sumter County. Ten years. The difficulty grew out of the fact that his wife was living with another man. The person was not seriously injured. His pre-

vious character was good and his release is requested by many of the best people of Sumter County Sentence commuted to present service, June 26th, 1909.

H. M. WOODARD. Seduction. July term, 1908, of the Superior Court of Laurens County Five years. His release is requested by the prosecutrix, the grand jury that indicted him, the Solicitor General and many good citizens. Pardon granted June 26th, 1909.

JOHN NORRIS. Felony Spring term, 1909, of the Superior Court of Fulton County Four years. It is represented that he has an incurable sore leg caused from typhoid fever and is unable to do hard manual labor. He is about forty years of age. Sentence commuted to one year in the penitentiary June 26th, 1909.

EMANUEL BROWN. Selling whiskey October term, 1908, of the Superior Court of Taylor County Six months in jail and twelve months on the chaingang. He has served the jail sentence and about half the chaingang sentence. His conduct in prison has been good. The county physician says that he has heart disease and is liable to die at any time. Sentence commuted to present service June 26th, 1909.

WRIGHT PARKER. Burglary March term, 1901, of the Superior Court of Telfair County Twenty years imprisonment. He took nothing from the

house that he is charged with entering and there is some question as to his identity. He has served over eight years and his release is requested by the Solicitor General and the trial Judge. Sentence Commuted to present service June 26th, 1909.

LUTHER M. CALLAHAN. Extortion. Superior Court of Chatham County. Twelve months imprisonment. He has served eight months of the sentence and has a wife and child who are in great need of his assistance. His release is requested by jurors, county officials and many prominent citizens. Pardon granted June 26th, 1909.

ALBERT SMITH. Arson. Superior Court of Monroe County, August term, 1907. Five years. This man was convicted of burning the house of another negro and the verdict was largely based on his alleged confession. Since his conviction evidence has been discovered and is on file with his application for pardon tending to establish the fact that he made no confession. Upon the faith of this evidence the officers of the court, the county officers, the Solicitor General who prosecuted him, all of the grand jury and the trial jury and a large number of reputable white citizens signed his application. His good character was thoroughly established. Sentence commuted to present service June 26th, 1909.

R. L. VANDERFORD. Rape. Fall term, 1906, Superior Court of Gwinnett County. Twenty years. A large petition has been filed for the defendant. There

are peculiar facts connected with this case that raise a doubt as to the character of the offense. It is not thought that a pardon should be granted at this time, but that his sentence should be commuted to five years imprisonment. Sentence commuted to five years imprisonment June 26th, 1909.

JIM HOWELL. Murder. Superior Court of Montgomery County, April term, 1893. He has served nearly sixteen years with good conduct and is now forty-one years of age. The Judge who presided at the time of trial is dead. The Solicitor General who prosecuted the case recommends his pardon. Sentence commuted to present service June 26th, 1909.

HOKE SMITH, Governor.

The hour of 11:45 having arrived, the Senate repaired to the Hall of the House of Representatives for the purpose of inaugurating the Governor.

The President of the Senate took the chair and called the General Assembly to order.

The resolution convening the General Assembly in joint session was read by the Secretary

Prayer was offered by Rev. Jno. E. White.

The President then introduced the Governor-elect, Hon. Joseph M. Brown, who proceeded to deliver his inaugural address.

At the conclusion of his address, the oath of office was administered by Chief Justice of the Supreme Court Hon. W. H. Fish.

The retiring Governor Smith delivered to Governor Brown the Great Seal of the State and the Governor returned it to the Secretary of State for safe keeping.

On motion of Senator Gordy the joint session was dissolved, and the Senators returned to the Senate Chamber, and was called to order by the President.

On motion, when the Senate adjourns today, it will stand adjourned until Monday morning at eleven o'clock.

Leave of absence was granted Senator Stevens, of 30th district, for Monday next.

On motion the Senate adjourned.



## SENATE CHAMBER, ATLANTA, GEORGIA.

MONDAY, June 28th, 1909.

The Senate met pursuant to adjournment at 11 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll, the following members answered to their names:

Akin	Johnson	Patterson
Bowen	Jackson	Price
Burwell	Kemp	Perry
Blackwell	King	Pitts
Calloway of 10th	Longley	Rutherford
Calloway of 29th	Mays	Rudicil
Calhoun	Murray	Slater
Cates	Morris	Sellers
Conley	Mathews	Stevens
Day	McLean	Ward of 5th
Gordy	McDowell	Ward of 7th
Griffith	McCurry	Womble
Harrell	McWilliams	Wood
Harben	McCollum	Mr. President
Irwin	McClure	

The Journal of Saturday was read and approved.

The following Senate bills were read first time:

By Mr Longley—

A bill to provide for the lease of the Western &

Atlantic R. R., to define the rights, powers, liabilities and duty of the lessees, and for other purposes.

Referred to the W & A. R. R. Committee.

By Mr. Longley—

A bill to establish a Board of Osteopathic Examiners for the State of Georgia, to define its duties and powers.

Referred to the General Judiciary Committee.

By Mr. Patterson—

A bill to abolish the office of County Treasurer of Decatur County

Referred to the Special Judiciary Committee.

By Mr. Patterson—

A bill to alter and fix the commission to be received by the County Treasurer of the County of Decatur relative to borrowed money

Referred to the Special Judiciary Committee.

By Mr. Irwin—

A bill to amend Section 2185 of the Code of Geor-

gia providing for what causes a Railroad Commissioner shall be suspended.

Referred to the General Judiciary Committee.

The following resolution was adopted:

By Mr Burwell—.

A resolution—Resolved, That the session of the Senate shall be extended to one o'clock each day, and at said hour the Senate shall stand adjourned, unless otherwise previously ordered.

On motion, the Senate adjourned until ten o'clock to morrow morning.

## SENATE CHAMBER, ATLANTA, GEORGIA.

TUESDAY, June 29th, 1909.

The Senate met pursuant to adjournment at ten o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Akin	Johnson	Patterson
Bowen	Jackson	Price
Burwell	Kemp	Perry
Blackwell	King	Pitts
Callaway of 10th	Longley	Rutherford
Callaway of 29th	Mays	Rudieil
Calhoun	Murray	Slater
Cates	Morris	Sellers
Conley	Mathews	Stevens
Day	McLean	Ward of 5th
Gordy	McDowell	Ward of 7th
Griffith	McCurry	Womble
Harrell	McWilliams	Wood
Harben	McCollum	Mr. President
Irwin	McClure	

The Journal of yesterday was read and approved.

The following Senate bills were read first time.

By Mr. Mays—

A bill to amend the charter of Pepperton, in Butts County

Referred to the Corporation Committee.

By Messrs. Perry and McDowell—

A bill to increase the salaries of the Justices of the Supreme Court of Georgia.

Referred to the General Judiciary Committee.

By Messrs. Perry and McDowell—

A bill to fix the salaries of the Judges of the Court of Appeals.

Referred to the General Judiciary Committee.

By Mr. Gordy—

A bill to fix compensation of the Ordinaries of this State, to provide for the payment thereof for renewing and paying the annual pension to the pensioners of their Counties.

Referred to the Pension Committee.

By Mr. Akin—

A bill to amend the Act establishing the Board of Dental Examiners in this State.

Referred to the General Judiciary Committee.

By Mr. Slaton—

A bill to repeal an Act entitled an Act to provide for the changing of County lines within the limits of incorporated towns and cities.

Referred to the General Judiciary Committee.

By Mr. Slater—

A bill to amend Section 5403 of the Code of 1895.

Referred to the General Judiciary Committee.

By Mr. Slater—

A bill to amend Section 5404 of the Code of 1895.

Referred to the General Judiciary Committee.

By Mr. Slater—

A bill to require the State of Georgia to provide and furnish for the use of Justices of the Peace and

other county officers a copy each of Van Epps Georgia Form Book.

Referred to the General Judiciary Committee.

By unanimous consent the following Senate bill was withdrawn from the Committee on Constitutional Amendments and referred to Committee on Counties and County Matters:

By Mr. Pitts—

A bill to amend the road laws of this State.

By unanimous consent the following resolution was withdrawn by its author:

By Mr. Pitts—

A resolution appointing a committee of two from the Senate and three from the House to draft a bill re-arranging the Judicial Circuits of this State.

By unanimous consent the following Senate resolution was read first time and adopted by the Senate:

By Messrs. Pitts, Gordy and Jackson—

A resolution appointing a committee of two from the Senate and three from the House to look into

the advisability of changing and re-arranging the Judicial Circuits of this State.

On motion, the Senate adjourned until tomorrow morning at ten o'clock.



## SENATE CHAMBER, ATLANTA, GEORGIA.

WEDNESDAY, June 30th, 1909.

The Senate met pursuant to adjournment at ten o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll, the following members answered to their names.

Akin	Johnson	Patterson
Bowen	Jackson	Price
Burwell	Kemp	Perry
Blackwell	King	Pitts
Callaway of 10th	Longley	Rutherford
Callaway of 29th	Mays	Rudicil
Calhoun	Murray	Slater
Cates	Morris	Sellers
Conley	Mathews	Stevens
Day	McLean	Ward of 5th
Gordy	McDowell	Ward of 7th
Griffith	McCurry	Womble
Harrell	McWilliams	Wood
Harben	McCollum	Mr. President
Irwin	McClure	

The Journal of yesterday was read and approved.

The following Senate bills were read first time:

By Mr. Gordy (by request)—

A bill to amend the Act approved December 7th,

1897, entitled an Act to authorize corporations or individuals owning or controlling any water power in this State so as to extend the right of condemnation for certain other purposs.

Referred to the General Judiciary Committee.

By Mr. Harrel—

A bill to amend Section 1006 of Code of Georgia which relates to the admission of confessions of accused persons in evidence.

Referred to the General Judiciary Committee

By Mr. Harrell—

A bill to provide for supersedias of judgments of conviction in County Courts, Municipal Courts, Police Courts, and all other Inferior Courts exercising criminal jurisdiction to provide for the giving of bail, and for other purposes.

Referred to General Judiciary Committee.

By Mr. McCurry—

A bill to make it a misdemeanor to obtain food or lodging from any hotel under false pretenses and for other purposes.

Referred to the General Judiciary Committee.

By Mr. Calhoun—

A bill to provide for holding three terms of Superior Court in Montgomery county each year.

Referred to the General Judiciary Committee.

By Mr. McWilliams—

A bill to authorize the County Boards of Education to borrow money to pay teachers.

Referred to the Educational Committee.

By Mr. Akin—

A bill to authorize the authorities of Glynn county to issue bonds in the sum not exceeding one hundred thousand dollars for the construction and improvements of public roads and buildings in said county.

Referred to the Special Judiciary Committee.

By Messrs. McLean and Rudicil—

A bill to prevent the issuing of marriage license to persons having the diseases of gonorrhœa or syphilis in communicable stages, and for other purposes.

Referred to the Hygiene and Sanitation Committee.

The following resolution was read and laid over under the rules.

By Mr. Stevens—

*Resolved*, That when the Senate adjourns Friday, July 2d, that it will stand adjourned until Monday 11 o'clock, July 5th.

On motion the Senate adjourned until tomorrow at 10 o'clock.

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SENATE CHAMBER, ATLANTA, GEORGIA,

THURSDAY, JULY 1st, 1909.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Akin	Johnson	Patterson
Bowen	Jackson	Price
Burwell	Kemp	Perry
Blackwell	King	Pitts
Calloway of 10th	Longley	Rutherford
Calloway of 29th	Mays	Rudicil
Calhoun	Murray	Slater
Cates	Morris	Sellers
Conley	Mathews	Stevens
Day	McLean	Ward of 5th
Gordy	McDowell	Ward of 7th
Griffith	McCurry	Womble
Harrell	McWilliams	Wood
Harben	McCollum	Mr. President
Irwin	McClure	

The Journal of yesterday was read and approved.

The following resolution was taken up for the purpose of adopting same:

By Mr. Stevens —

A Resolution, That when the Senate adjourns Friday, July 2d, 1909, that it stand adjourned until

Monday, July 5th, at 11 o'clock. The following amendment was adopted: Amend by changing July 5th and substituting July 6th. The amendment was adopted. On the adoption of the resolution the ayes and nays were ordered and the vote is as follows:

Those voting in the affirmative were Messrs:

Akin	Johnson	Price
Bowen	Kemp	Pitts
Burwell	King	Rutherford
Blackwell	Murray	Rudicil
Callaway of 10th	Morris	Slater
Callaway of 29th	McLean	Stevens
Calhoun	McDowell	Ward of 7th
Griffith	McCurry	Wood
Harben	McCollum	
Irwin	Patterson	

Those voting in the negative were Messrs:

Conley	Jackson	McClure
Day	Longley	Sellers
Gordy	Mays	Ward of 5th
Harrell	McWilliams	Womble

Those not voting were Messrs:

Cates	Perry	Mr. President
Mathews		

Ayes, 28; nays, 12.

The foregoing resolution as amended was adopted.

The following joint resolution was read and adopted:

By Mr. Gordy—

A Resolution, Convening the General Assembly in joint session in the Hall of the House of Representatives at 12 o'clock noon on Wednesday, July 7th, to declare the result in the election of U. S. Senators.

The following Senate bills were read 1st time.

By Messrs. King, of 14th, and Calhoun, of 15th—

A bill to require all railroad companies operating coaches for the purpose of carrying passengers to use some good disinfectant when sweeping or dusting said coaches.

Referred to the Railroad Committee.

By Mr. Sellers—

A bill to amend the Constitution by authorizing the General Assembly to exempt from taxation agricultural products in the hands of the consumer.

Referred to the Constitutional Amendments Committee.

By Mr. Slaton—

A bill to provide protection to purchasers from legatees, and for other purposes.

Referred to the General Judiciary Committee.

By Mr. Slater—

A bill to amend Section 4467 of the Code of 1895, relative to duties of Ordinaries.

Referred to the General Judiciary Committee.

By Mr. Day—

A bill to give to the Judges of the Criminal Courts of this State power and authority in certain cases to defer, suspend for a time or indefinitely, sentences in misdemeanor cases.

Referred to the General Judiciary Committee

By Mr. Price—

A bill to abolish the office of County Treasurer of this State, and for other purposes.

Referred to the Counties and County Matters Committee.

ATLANTA, GEORGIA, JULY 1st, 1909.

The following message was received from His Excellency Governor Joseph M. Brown, through his Secretary, Mr. Blackburn:



*Mr President:*

I am directed to transmit to the General Assembly a communication in writing from His Excellency the Governor.

The following is the message:

• ATLANTA, July 1, 1909.

STATE OF GEORGIA,

EXECUTIVE DEPARTMENT,

*To the General Assembly:*

At the threshold of the assumption of the duties which the call of a free people has imposed upon us, it is well to remember the constitutional limitations of each department of the State government, and, while maintaining the integrity and independence of each within its proper sphere as the surest safe-guard of our republican institutions, to so generously co-operate that our united labors may enlarge the benefits of the public service, and thus fulfill our obligations as faithful servants of the people.

While the Executive may recommend legislation, the duty and the responsibility of making laws must, and should rest upon you as the chosen agents of

the people to give legislative expression to their will.

In full recognition of this responsibility, and in a kindly spirit of comity and co-operation, I beg to lay before you certain matters which to me seem timely and expedient.

#### A CONSTRUCTIVE GEORGIA.

In endeavoring to solve the problems confronting us as the result of events reaching back into the years 1905-'06, we must ever have in mind the motto words of our great State: "Wisdom, Justice, Moderation." We must put behind us animosity, discard denunciation, and accord to those who differ with us the right to hold individual opinions and to exercise individual judgments—the right guaranteed to all by the spirit of our institutions and the letter of our laws.

Moved by this spirit, let me quote to you the following words from the Democratic platform, whereunder the people of this commonwealth entrusted the administration of their affairs to our hands:

"We pledge, not only to citizens of this State, but to citizens of other States, that all capital invested in legitimate enterprises in Georgia, whether foreign or domestic, corporate or private, shall have the

*equal* protection of the laws, and the *equal* friendly consideration of those who administer the laws.”

The above words are but an amplification of the principle enunciated in the Bill of Rights of the Constitution of Georgia:

“Protection to person and property is the paramount duty of government and shall be *impartial* and complete.”

Hence, we find the synonymous words “equal” and “impartial” in the two mandates which declare the will of the sovereign people.

“Equality” and “Impartiality,” therefore, we may esteem the key-words in the State’s relationship to the citizen: equality of obligation by the citizen to the State; equality of opportunity for the citizen with the citizen; and equality of protection to the citizen by the State. And this equality or impartiality the State explicitly decrees shall apply to property exactly as it does to the citizen. Just as there shall be no discrimination against a citizen in favor of other citizens, so there shall be no discrimination against one species of legitimate property in favor of other species of legitimate property. All must obey the law, and all while obeying the law, must be protected in equality of rights. And if there be found abuses in

the handling of property, we must apply the hands of the law to those who abuse their trust, instead of impairing or destroying the income of the innocent; for events have proved that when we destroy, or seriously curtail that income, we force out of employment thousands of Georgia's sons of toil, whose wages, while providing sustenance for their families, are distributing benefits in every community wherein they dwell. Therefore, upon equality, or fairness, is built up prosperity, and the State whose laws command or permit the contrary, invites catastrophe. With equality as a standard, let the people's will be done. In fraternity and co-operation let us move forward a constructive Georgia.

But we cannot have a constructive Georgia if we have not capital. And we have not as the possession of Georgians, capital sufficient to develop her water powers; to erect factories for the operation of which we have so many varied resources; to build railroads of which some of our counties have not one, (while none of them have all they need,) and to furnish more banking capital, of which we are vastly behind our necessary limit. The shortage thus existing reaches not merely into every industrial and commercial centre, but into practically every farmer's home in Georgia.

Therefore, to induce foreign capital hither, we

must guarantee to it not only the protection of its principal, but as certainly the protection of its power to earn a reasonable income. That protection must be, as our State Constitution says, "impartial." It must be as our convention platform said, "equal." The capitalist from outside of the State must have the guarantee that his money invested in Georgia shall have the same rights, whether invested in public utility corporations or otherwise, as has the Georgian's money invested likewise in his own State—the same, no more, no less.

The people of Georgia ratified the above pledge that the guarantee of the organic law of this State is the guarantee of its citizenship; and I have full confidence that every law you enact, every resolution you pass will cheerfully confirm it as the judgment and pledge of your official and personal manhood.

It would be unfortunate should public utility corporations misinterpret the spirit of a constructive conservatism approving a fair and just treatment of their interests, as a license authorizing hurtful discriminations, or the exaction of unjust tariff rates. Fair treatment by the State of these artificial persons carries reciprocal obligation of a just, impartial and courteous public service which brings its own reward in the creation of a generous public

favor, the safest shield against hostile laws; while a service indifferent to the rights, needs and comforts of the people is sure to bring about those oft recurring periods of anti-corporation activity, resulting in harsh and retaliatory measures that rarely fall short of vindictive reprisals.

We should, however, not lose sight of the fact that corporations are but the property of people: and that besides those of our fellow citizens (voters) and citizens of other States who exercise directly the powers of ownership, there are upwards of 2,000 Georgia women, 700 estates of deceased Georgians and 80 educational and eleemosynary corporations, among which are one asylum for blind children, several orphan asylums, several endowed hospitals, colleges, church funds, and the like; in other words those who are the wards of the very conscience of our civilization, thus making it imperative that discernment be exercised in the application of the laws, yet, corporations, it must be said, are not without blame for public sentiment in regard to their acts; hence, it is proper to state clearly that the full power vested in the Executive shall be used to protect the people against any unjust conduct on the part of corporations.

## PROMPT PAYMENT OF TEACHERS.

One of the matters of greatest concern to the future welfare and prosperity of our State is the proper support and maintenance of our common school system. While it is by no means a perfect system, we should not lose interest in it, but should carefully adopt such means and plans as may be necessary for its betterment. One of the greatest drawbacks is our manner in paying the teachers. The State is one year behind in making these payments, that is to say, in the main, the money for paying teachers' salaries for this year will not be collected until the latter part of December, when the taxes are paid into the treasury.

The teachers are faithful servants of the people and should be paid with the same regularity as the State pays all her other officers. All agree as to this proposition. It has been before the public for many years, with the result that our teachers have received fair promises, but not prompt payments. They, alone, have been denied the benefits of that key-word "equality." It does seem to me that the application of a few business ideas might relieve the situation and accomplish the desired end. The teacher alone, of all the officers of the State, is required to discount his or her salary account

against the State, and lose from eight to twenty per cent. This is a great wrong upon these officials, one that no fair business man would perpetrate upon his employees. I suggest that we take at once the necessary steps to catch up with our school fund, and pay every public school teacher in Georgia his or her salary monthly. It is impracticable for us to collect in one year the necessary sum from taxation and accomplish this result, and it would be almost criminal for us to stop the schools of Georgia to enable us to catch up with our funds.

What then must we do? What would first suggest itself to every business man that calmly considers this condition, should he be confronted with like conditions in his own business affairs? He would at once take the necessary steps to raise the money by use of his credit. I propose that we handle in like manner for the State and for the teachers, the situation that now confronts us, and utilize the credit of the State to relieve the condition. The General Assembly should propose, and submit to the people of this State an amendment to the Constitution authorizing the issuance of about \$600,000 of bonds, the proceeds of which should be used to create a permanent loan fund to be loaned every spring to the school fund for the payment of teachers' salaries, and returned to this loan fund in December when



the taxes are collected. This fund should be sacredly guarded, and should not be used for any other purpose, so long as the necessity for such loan fund exists, and should it cease to exist, then let the fund so raised be applied to the payment of the valid bonded indebtedness of the State. The State could raise this money upon a 3 per cent. basis. When not in use the depositories would pay sufficient interest to reduce the cost to the State to 2 per cent. The bonds so issued might be retired in a few years at the rate of \$100,000 per annum, without the necessity of any increase in our tax rate.

Under this method the fund will be protected by a Constitutional provision, and the prompt payment of teachers will be absolutely certain. In other words, it will place such a loan fund beyond the power of *diversion*, either by the General Assembly or the Executive. Should you, however, in your wisdom adopt some other practical method by which the same result may be secured, it will receive my hearty concurrence.

#### PUBLIC INSTITUTIONS.

All our public institutions should be properly supported, holding in mind, as we do, the object for

which they were established, and the duties we owe to humanity and to education.

I direct your attention especially to the needs of our various educational institutions, including the agricultural schools recently established. The latter mark a distinctively progressive move in the matter of industrial education, which has attracted attention and commendation from the best teachers of the world.

#### LABOR COMMISSIONER.

The industrial growth of our State, and increasing number of skilled and unskilled workmen in our population demand that the State keep pace with the progress of the times, and establish a Department of Labor.

We have, for many years maintained a Department of Agriculture, which has been conducted by experienced farmers to the substantial benefit of the agricultural interests. While I would advocate nothing that would tend to lessen the scope of that department, or decrease its worth to the class it directly serves, I urge, as a matter of simple justice, as well as industrial economy and necessity, the establishment of a similar department of State government, where the great toiling element of our

people may have their interests guarded and their rights protected.

The Commissioner of Labor should be charged with the enforcement of all laws affecting labor. I am proud of the fact that our State has kept abreast of the times in the matter of child-labor legislation, and am sure that present laws will be strengthened as soon as necessity demands and industrial conditions warrant. The Commissioner of Labor should be specially charged with the enforcement of child-labor laws. It should also be the duty of the Commissioner of Labor to compile statistics showing labor conditions throughout the State, and furnish the same to industrial institutions who desire such information. Since the State is so well favored by both labor and climatic conditions, authentic information would doubtless prove very valuable, as it might mean the establishment of many other enterprises in the State.

It should also be made the duty of the Commissioner of Labor, in connection with the Attorney-General—and, in the case of railroad employees, in connection with the Chairman of the Railroad Commission, to act as mediator in disputes between capital and labor, when called on by either side, so that harmonious relations between the two may be encouraged and fostered; and in cases of strikes to

exert their efforts to effect prompt and satisfactory settlement by arbitration, or such other means as may meet the approval of the contending factors.

I am convinced that had such a department existed under the direction of a competent man, the severity of the recent unfortunate conflict between one of our largest railroads and its employees would have been lessened, if the trouble had not been entirely averted. At least, there would have been no necessity for the appearance of Federal officials—more or less foreign to our industrial conditions and sentiments—upon the scene, to settle a dispute intra-state in character.

#### TAXATION.

The principal source of the State's revenue for the support of the government and the State institutions must necessarily be derived from direct taxation of property. The Constitution requires uniformity and equality in all tax levies. Under our present imperfect tax system, it is impossible to secure uniformity or equality of taxation. Property is returned in one county at one standard of valuation, and in another county at a different standard of valuation. Even in the same county, and in the same locality, there is no uniform standard of valua-

tion, for the reason that each property owner places his own valuation on his property in his tax returns; and even where the tax officers reject the returns, and submit the same to arbitration, the arbitrators differ in each case, and naturally they adopt different standards of valuation.

This same defect and inequality of taxation applies to the tax assessments of those corporations required by law to make returns to the Comptroller-General. If the returns are rejected, and arbitration becomes necessary, different arbitrators pass upon and fix the tax value of different companies, frequently adopting different standards of value. In addition to this, these arbitrations are usually very expensive to the State. Another defect in our present tax system is its failure to provide adequate or effective means of assessing, or of taxing unreturned property. If the burdens of taxation are to be borne equally, as required by the organic law of our State, some new and more efficient system than the present law on the subject of taxation must be adopted.

I, therefore, recommend the enactment of legislation providing a new system of taxation, with Boards of Equalizers for each county, and a State Board of Equalizers, upon whom shall devolve the duty of assessing all property now required to be re-

turned to the Comptroller-General, as well as equalizing the assessments in the various counties of the State. The details of this system I leave to your judgment and legislative experience. A system of this character would insure one standard for tax values for all the property in the State, and make the burdens of taxation fall equally and fairly upon all alike.

The system enacted should provide adequate and sufficient means for assessing and collecting taxes upon unreturned property, and provide opportunity for the taxpayer to be heard.

#### INHERITANCE TAX.

Over three-fourths of the States now have laws providing for an inheritance tax. A proposition to impose a national inheritance tax has lately been presented to Congress, and practically the only argument brought against the measure was to the effect that inheritances were properly subjects for State taxation, and that a majority of the States now imposed such a tax.

The policy of modern government is opposed to the accumulation of vast estates, so hedged about by legal technicalities and safe-guards as to escape

their equitable burden of taxation. In the enlightened view of the leading publicists and economists of our times, no sound reason exists why inheritances should not be subject to taxation. The duty of formulating such laws as will meet this demand necessarily devolves upon your body, and I therefore leave it to your wisdom, with assurances of my unqualified approval.

#### BIENNIAL SESSIONS.

Another matter to which I feel it my duty to call your attention is that of biennial sessions for the General Assembly. It is not for me to argue at length upon this subject. Suffice it to say, that the conviction of the public seems to be that annual sessions result in the making of unnecessary laws, and in unnecessary expense to the tax payers. Only about a half dozen States in the American Union now have annual sessions of the law-making bodies.

In this connection I desire to call your attention to the advisability of changing the time of our general election from the first Wednesday in October, to Tuesday after the first Monday in November, thereby saving to the people the cost of an election.

## PUBLIC ROADS AND CONVICTS.

The Convention which nominated the present administration of our State made, also, the following pledge:

“Recognizing that the cardinal principle in the enforcement of our criminal laws is the punishment of crime, the reformation of the offender and the protection of society, we pledge ourselves to such changes in our convict system as will completely eliminate any traffic in convict labor, and, as far as possible, place the State convicts upon public works.”

The above pledge, having been approved by the people of Georgia, was redeemed in great measure, by the last General Assembly

The public sentiment for years has been crystallizing around the fact that good roads are an imperative necessity for the proper progress of the State. The necessity that two mules should do the work which was demanding six; that in one hour should be taken the trip which was consuming from three to five; that there should be easier access from the country to the city, and vice versa; that the consequent cost of handling produce and other tonnage between the farms and the leading points should be



cheapened—these and many other practical reasons are demanding good roads. Furthermore, we must bear in mind, that between the city and the country there has existed for ages an indefinable wall which good roads more than any other factor will break down. The city man and the country man have not had the time to get together. Since their lots are, in great measure cast in different lines, they live apart.

Good roads mean easy transit, hence quick transit; again, good roads mean getting face to face, mutual understanding, sympathy with each other, accord, co-operation, fellowship and unification of interests. In other words, good roads will cause a greater commingling or association of city people with country people. Thus we will know each other better, and as one of Georgia's greatest sons said a generation ago: "Let us know each other and we will love each other." All lines of business, the schools and churches, as well as the State's taxable resources will be advanced by good roads. Therefore, there can be no doubt of the wisdom of our platform mandate as to the disposition of the convict question. Convicts should be employed upon the public roads or works, and no traffic in convict labor should be allowed. Frequent inspections of the various camps should be made in order to pre-

vent, as far as possible, violations of the rules of the Prison Commission. Feeble and disabled convicts should be placed upon a farm for their support and maintenance.

The operation of the Act of 1908 has suggested to the authorities charged with its execution the necessity of some amendments. Looking to the perfection of the law, I bespeak for such measures your most careful consideration.

#### COMMON CARRIERS.

The Convention which named the present administration of this State also made the following declaration of principles:

“We believe in the strict control and firm regulation of all public utility corporations, and favor prescribing such freight and passenger rates as will be just to the corporations and to the traveling and shipping public, and such rules as will give to shippers expeditious and safe transportation, and quick adjustment of all claims for overcharges, damage and demurrage; and to passengers regular schedules, comfortable coaches, well-lighted and (in winter) well-heated waiting rooms, with the necessities for comfort. To further secure the accomplishment of the above end, we favor the require-

ment that the common carriers shall maintain their road-beds in safe condition, and shall provide such warehouses and other terminal facilities as the expanding commerce of our State demands.”

The words in the paragraph quoted embody the fixed policy of this State for many years past. It is indispensable that the State retain supervisory control of the creatures it brings into being. It is true that a corporation is an artificial person; but it is a person with no greater powers than its creators have given it. The purpose of government supervision and regulation of utility corporations is not to destroy the property of the corporation, but to preserve and safe-guard the rights of the people. The interests of the two are inseparable. When you injure one you do violence to the other. A true healthful prosperity in one is a sure sign of prosperity in the other.

The legislation which created the Railroad Commission of Georgia was brought about by certain arbitrary acts and discriminatory rates by the railroad managers which highly offended the minds of the people. There was unreasonable delay in settling claims for overcharge and damage, in furnishing cars for forwarding freight, and in the expeditious handling thereof after it was received. There were frequently no fires in the waiting rooms

in cold weather, often no lights, and the depots themselves were too small or inconveniently located for accommodating travelers. There were many other abuses which required correction, hence the law creating the Railroad Commission was enacted, and from time to time has been supplemented by legislation which the public needs demanded.

I regard it as unfortunate that railroads should have become the bone of political contention in this State. While abnormal increase in traffic of several years ago, due to the rapid growth and development of our State and its industries at that time, had much to do with the inability of the railroads to render proper and satisfactory transportation services, thereby causing much irritation to the public, it cannot be doubted that there were other just causes of complaint on the part of the people which could not be fairly attributed to mere increase in business. Among some of these complaints were the frequency of overcharges and inaccuracies in freight bills; long delays in the settlement of just claims; lack of proper consideration for the interests of the shipper and consignees of freight. Undoubtedly these evils ought to be corrected. Certainly they should be diminished as far as the regulating power of the State can diminish them. But regulation and correction of evil is quite a different matter

from retaliation or revenge. As a matter of fact, neither revenge nor retaliation should have any place in government or legislation.

It frequently happens that when the people have a just grievance against a public service corporation, it is comparatively easy to arouse public passion and prejudice to such an extent, that instead of attempting to correct existing evils, they content themselves with punishing the corporation in other ways, and when the pendulum of popular feeling has spent its force and exhausted its power in revenge alone, and the wreck is surveyed, it swings back to the other extreme, leaving the real evils uncorrected.

I, therefore, suggest to you the advisability of providing by direct legislation, some fair and reasonable method whereby the individual shipper and consignee of freight may enforce his rights, and obtain redress promptly in the courts of the State, for overcharges in freight, and for delays in the settlement of just claims. This can be done by legislation providing reasonable penalties for delays in settling claims. In my opinion such laws will prove a much more efficient remedy to the individual shipper and consignee, who can bring suits in their local courts, if they prefer, rather than pursue the present indirect method of relief through the Railroad Commission.

## DOUBLE TRACKING MAIN LINES.

Reductions in the income of the owners of common carriers should only be made when necessary to remove unjust discrimination, or when the reduction will remove unjust burdens from the masses. Statistics, we should bear in mind, show that 70 per cent. of the gross earnings of the carriers go directly or ultimately to labor; hence, when reductions in gross earnings are made, labor is the first loser, and the farmer who feeds labor is the second.

If, therefore, the future policy of the State be to abstain from unwarranted reduction of rates, i. e., the income of the owners of these carriers, it will in a few years be in a position legally and fairly to require the carriers to greatly improve their roadbeds; to build larger depots and more comfortable waiting rooms with modern conveniences; to increase their side-tracks, add more passenger trains and like improvements.

The continuous dread by the owners of common carriers that their income would be unreasonably reduced, has been given, time and again, as the reason for not improving their tracks and depots and amplifying their service. This very dread has been voiced as the reason why the owners of some

of our main lines do not lay down double-tracks. They admit that the expanding commerce of this State and section requires double-tracks; but say, that to build them they must borrow money, and that if they should do so the State authorities, ignoring the fact that the money to be used for this purpose was borrowed, would reduce their income.

Experience would seem to justify them in this apprehension. As Georgia is more interested in having her main lines double-tracked, thus adding immensely to the safety of life and the expeditious handling of persons and property, than she is in making unjust reductions in rates which reach only certain classes, it is worth your while to consider the matter of authorizing the Railroad Commission to confer with the authorities of the main lines with the view of double-tracking them; yet, nothing herein should be construed as advocating any increase in the rates now in effect.

There are about 1,650 miles of main line, in this State. It is estimated that the cost of double-tracking would average \$15,000 per mile. Therefore the total cost for all the lines would approximate \$25,000,000. Outside of steel rails, which could be largely if not entirely supplied from Birmingham, in our sister State, Alabama, the money would be

mostly spent in Georgia for labor and for cross-ties and other materials. It is safe to say that two-thirds of the \$25,000,000 would lodge in Georgia.

It would seem the part of wisdom for Georgia to take the lead in the movement to secure state-wide double-tracking of the main lines of common carriers. If attained, not only would the money spent during the few years the building progressed quicken the commerce of the entire State, resulting in greater security of life, etc., but the carriers would need many more permanent employees whom the farmers must feed and otherwise furnish.

#### MUNICIPAL CONTROL.

Another utterance in the platform declaration from which I have quoted should have attention here, viz.:

“Such public utility corporations as are purely local in their operation, should be left to the control of the municipalities in which they are located.”

I unhesitatingly commend the above. Local self-government is the bed-rock of our rights, and the paternalism manifest in some portions of our present law enlarging the powers of the Railroad Commission should be eliminated.



## RAILROAD COMMISSION.

I respectfully call your attention to the amendment, or addition, to the Railroad Commission law, approved August 22, 1907, regulating the issuance of stocks and bonds by common carrier corporations. The theory upon which the above amendment was founded is, on the surface quite tenable, but an examination by you will show that the result will be the practical stay in railroad building in Georgia save of branch or short lines.

The platform upon which the present administration of Georgia was chosen, contains the following declaration:

“We are opposed to unnecessary offices which levy additional taxes on the people; and we ask the legislature to scan carefully Georgia’s pay-roll to the end that all sinecures be cut off. We especially favor a reduction in the membership of the Railroad Commission from five to three, and the abolition of the office of special attorney to the same.”

It is impossible for me to find any ground upon which I can stand to argue against the foregoing. We should not for an instant consider the establishment or maintenance of “unnecessary offices which levy additional taxes upon the people.” If we have

such offices now, they should be cut off and the burdens of the people lessened to the extent of such needless expense.

As to the Railroad Commission, the Act enlarging its powers, approved August 22, 1907, created four absolutely "unnecessary offices which levy additional taxes upon the people," namely:

Two extra Commissioners, salaries aggregating -----	\$ 5,000
Attorney to the Commission, salary--	2,500
Rate Expert, salary-----	3,000
	<hr/>
	\$ 10,500
Add increased compensation to the Chairman -----	1,500
	<hr/>
Total -----	\$ 12,000

The original law establishing the Railroad Commission provided for three Commissioners. Their salaries were fixed at twenty-five hundred dollars each. The Act enlarging the powers of the Railroad Commission retained the three Commissioners with salaries aggregating seven thousand to this pay-roll.

It will be noted that besides more than doubling the salary account of members of the Board, there has been added a rate expert, whose salary, payable by the people, has been fixed at \$3,000.

Under the long maintained composition of the Commission, one of the members was required to be "of experience in the law" and one "of experience in the railway business," whereas, under the amended law, each Commissioner shall be elected "without reference to his experience in law or railway business." The present Board is composed of four lawyers and one farmer, and it has demonstrated the lack of wisdom in the change of the law by the necessity of employing a rate expert at the expense to the State of \$3,000 per annum.

We would find a parallel to this extraordinary Board if the members of the Supreme Court of Georgia were composed of good industrious carpenters and farmers, each appointed "without reference to his experience in law," who should employ a legal expert to keep the law straight in their hearings and written decisions.

Or, another parallel would be, the appointment of a preacher who never lived outside the city, as Commissioner of Agriculture.

On this subject it is pertinent to state that the official organ of the Farmers' Union of Georgia advocates, and I think with reason, the establishment of the office of County Commissioner of Agriculture, or the establishment of an Agricultural Department in some form in each county. It copies, with seeming approval, a law of the State of Mississippi establishing such a department in the counties of that State. From this law I note that the County Commissioner of Agriculture "shall be a person well versed in scientific and practical agriculture."

The requirement that one of the Railroad Commissioners shall be of "experience in the railway business" should be restored in the law; or experience has shown that probably the better words would be "experience in rate making and other matters of railway business" thereby increasing the efficiency of the Commission.

The sinecures provided in the amended Railroad Commission law are too patent to justify discussion, hence I submit the subject to you with merely these crucial questions:

What has the Railroad Commission of five members, with a special attorney and a rate expert done, which a Railroad Commission of three members

composed as under the law could not have done, if clothed with the same powers now existing?

If three Commissioners (each with qualifications formerly required, and each clothed with the same powers now conferred upon five Commissioners) could have done during the past two years and can do in future the same things done and to be done by the five Commissioners, the attorney for the Commission and the rate expert, why should the taxpayers of Georgia be burdened with the unnecessary salaries now paid to the two surplus Commissioners and the two other gentlemen associated with them?

#### REGISTRATION LAW.

I wish to call your attention to the serious defects and unnecessary barriers in the registration law passed by your predecessor. As pointed out by our able Attorney-General in his annual report, no provision was made for registry lists before the general election in 1910. This omission has already caused considerable confusion in connection with holding special elections, and unless corrected, will cause more, besides laying serious grounds upon which to question the validity of every special election ordered under its terms.

In my judgment, however, one of the main provisions of the law should be amended. It provides that the registry lists shall be closed on April 1st of election years, or more than six months in advance of the election. I recommend that this be changed, so that the interim between the closing of the lists and of the elections may be no more than 30 days before general, special or primary elections.

It is a well-known fact that a large majority of our farmers and business men do not pay their taxes in person, but by agents or by check. It is therefore easy to see how the present law will practically disfranchise many good citizens.

To require the citizens of Georgia to register six months in advance of the election is entirely too drastic. We presume that the average Georgia voter is honest. This Act presumes that he is not, and seeks to shut him out unawares from the natural right of a free citizen, i. e., the right to vote. The law should make it easy, not hard, for a man to vote, the presumption of innocence being on his side.

We should abstain as far as possible from restrictive legislation; for the true democratic idea is that the citizen shall have the greatest possible freedom, so long as it does not interfere with the rights of others. The law ought not assume, as restrictive

legislation such as this does, that practically all people are corrupt.

I agree that the purity of the ballot is one of the bed-rocks of our institutions. Drastic legislation along this line tends to defeat its own purpose, and to augment the evil aimed at. The venal person who makes of his franchise an article of trade will, for selfish reasons, be on his guard and get in position to deliver his vote. But the honest farmer, mechanic, laborer or business man, interested in his own business, usually neglects to register until the stress of political contest impresses him with its importance. To require that all register six months before the election would have the effect of enhancing the importance of the corrupt voters, as the bulk of them will take pains to qualify, while many honest citizens, through excusable neglect, will be excluded from the exercise of the ballot.

The registration law affects every citizen. The laws against felonies and crimes in general affect only those who commit the crimes. Why should the citizen in the exercise of his highest right be presumed a criminal? Election laws should be aimed at the corrupt voter, and should not in their operation impair the power of the honest voter in the exercise of his right as a free citizen.

## LOBBYING.

I trust that you will not ignore the demand of the Convention that lobbying shall cease, and I urge that laws be framed which will rigidly enforce the will of the people, as is so plainly expressed in our Constitution.

## STATE BANKS.

State Banks are indispensable. They have become one of the greatest factors in the development of our resources. No prosperous city or town can very well handle its commerce without a good strong banking institution, through which it may transact business with other cities and towns.

Just but rigid laws should be enacted so as to give the innocent depositor, who simply deposits his money for safekeeping, every protection that he deserves. The enactment and enforcement of rigid banking laws will not only protect the depositor, but will greatly increase the deposits in all such institutions. All penalties for violating the law applicable to banks of issue should be made to apply to every bank chartered under the laws of Georgia, and we should require as strict inspection as is required by the Federal law for National Banks.



## GAME LAWS.

I respectfully call to your attention the necessities for changes in our game laws. Birds and other game, once plentiful, are now scarce and in some localities almost exterminated.

Besides preserving them as game, we must hold in mind that birds are man's best protectors against the insects which do damage to fruits, garden and field crops. It has been estimated that insects would render the growing of some classes of products an impossibility if the birds were exterminated.

It would be better to shorten the season for killing game, and limitations should be placed upon the exportation of game from the State.

## FISH AND OYSTERS.

Our laws as to fishing should also be in harmony with the plan to stock the streams with fish and to give them such protection as will cause them to increase rather than become extinct.

And upon this line I suggest that a joint committee be named by the General Assembly to examine the State laws of Maryland, Virginia and other coastal States on the subject of acquisition

and protection of oyster-beds, with the view to making these beds a source of income to our people and of revenue to the State.

Our coastal waters are as good for the propagation of oysters as are those of other sea-adjointing States; and if they, notably Maryland and Virginia, derive large annual revenue from this source, it would be well for Georgia to do the same.

#### STATE MILITARY.

In the language of our Constitution, "a well regulated Militia being essential to the peace and security of the State," it is the duty and should be the pleasure of the General Assembly to give proper support and encouragement by appropriate legislation to this important part of the State Government.

In this connection I beg to call your attention to the various military schools in the State. These schools are important feeders to the military organizations of the State, and should be recognized by such appropriate legislation as will make them a part of the system. This may be done by authorizing the Governor to commission the principals or commandants of such schools as may comply with the necessary requirements.

## CONFEDERATE SOLDIERS.

It is a source of congratulation that your predecessors, in conformity with the Democratic platform of 1908, enacted legislation whereby we have returned to annual payment of pensions to Confederate soldiers.

It will be necessary for the General Assembly to enact suitable legislation to carry into effect the constitutional provision extending pensions to all Confederate soldiers, and widows of Confederate soldiers who are not worth exceeding \$1,500. In providing pensions for this new class care should be taken that no reductions be made in the amounts paid pensioners enrolled under the existing law. Before passing upon this question I suggest that your bodies, through appropriate committees take the necessary steps to ascertain the probable number who will come within the requirements of the Constitution as amended. Investigation on this line will enable you to make an appropriation that will prevent the recurrence of delays in payments which have heretofore attended the addition of new classes to our pension rolls.

I respectfully call your attention to the Confederate Cemeteries near Resaca and in Marietta, which

our State has accepted as the wards of her future care. These hallowed resting places should at all times be kept in such order as befits the affection our people cherish for the heroic ones who braved war's terrors and died for Georgia's honor.

As further evidence of Georgia's enduring gratitude let me urge that you take under consideration the erection, in the Capitol Square in Atlanta, of a monument to the memory of the Confederate dead. Tireless in valiant deeds, loyal in love, true to ideals high, and faithful unto death, their story lights a page which reads, "Death is the gate to life!"

Let us inspire our children now to emulate their worth; let us through future ages prove Georgia constant in truth.

In conclusion, I trust that you will allow me to express the high appreciation in which I hold your honorable bodies, and the confidence I feel in the loyalty to our State, and in the fidelity to her Constitution which inspires the heart of each member. While you doubtless will differ at times, as to policies, or the application of principles, with each other and with the Executive, I feel assured that your and our differences, if such there should be, will be found

bordered by a circle within which we can all unite—a circle whereon, written as in letters of gold, we read the words, “Love for Georgia.”

Respectfully submitted,

JOSEPH M. BROWN,

Governor.

On motion the Senate adjourned.

## SENATE CHAMBER, ATLANTA, GEORGIA,

FRIDAY, JULY 2d, 1909.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Akin	Johnson	Patterson
Bowen	Jackson	Price
Burwell	Kemp	Perry
Blackwell	King	Pitts
Callaway of 10th	Longley	Rutherford
Callaway of 29th	Mays	Rudicil
Calhoun	Murray	Slater
Cates	Morris	Sellers
Conley	Mathews	Stevens
Day	McLean	Ward of 5th
Gordy	McDowell	Ward of 7th
Griffith	McCurry	Womble
Harrell	McWilliams	Wood
Harben	McCollum	Mr. President
Irwin	McClure	

The Journal of yesterday was read and approved.

The following Senate bill was read 1st time:

By Mr. McCurry—

A bill to amend and change the time of the meet-

ing of the General Assembly from 4th Wednesday in June to 2d Wednesday in October of each year.

Referred to the General Judiciary Committee.

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House has adopted the following joint resolution, to-wit:

A resolution to appoint a joint committee of the House and Senate to investigate the suspension of Hon. S. G. McLendon, Railroad Commissioner.

The following House joint resolution was read 1st time:

By Mr. Hardeman—

A resolution to appoint joint committee of the House and Senate to investigate the suspension of Hon. S. G. McLendon, Railroad Commissioner.

The following amendment was adopted:

By Mr. Mathews—

Amend by striking out of the latter part of same the words “facts and.”

The resolution was adopted as amended.

Committee on part of Senate are: Senators Burwell, Slater, Mathews, Calhoun and Gordy

The following Senate bills were read 1st time:

By Mr. Morris—

A bill to encourage education by requiring parents and guardians and others standing in parental relation to send children to school a certain length of time.

Referred to the Educational Committee.

By Mr. Morris—

A bill to regulate the practice of optometry in this State.

Referred to the Hygiene and Sanitation Committee.

By Mr. Slaton—

A bill to declare the 12th day of February of each year a legal holiday.

Referred to the Educational Committee.

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:



*Mr President:*

The House has concurred in the Senate amendment to the following House resolution, to-wit:

A resolution to appoint a joint committee of the House and Senate to investigate the suspension of Hon. S. G. McLendon, Railroad Commissioner.

The following members have been appointed as Committee on part of the House.

Messrs. Hardeman, of Jefferson;

Anderson, of Chatham;

Wright, of Floyd;

Ellis,

Tuggle,

Boyd,

McElreath,

Brown, of Carroll;

Sheppard.

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House has adopted the following resolutions of the Senate, to-wit:

A resolution to convene the General Assembly in joint session Wednesday, July 7th, 1909, at 12 o'clock m., to consolidate the vote for U. S. Senator

A resolution appointing a joint committee of House and Senate to investigate advisability of changing and re-arranging the Judicial Circuits of the State.

On motion the Senate adjourned until Tuesday morning at 11 o'clock.

SENATE CHAMBER, ATLANTA, GEORGIA,

TUESDAY, JULY 6th, 1909.

The Senate met pursuant to adjournment at 11 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered their names:

Akin	Johnson	Patterson
Bowen	Jackson	Price
Burwell	Kemp	Perry
Blackwell	King	Pitts
Callaway of 10th	Longley	Rutherford
Callaway of 29th	Mays	Rudicil
Calhoun	Murray	Slater
Cates	Morris	Sellers
Conley	Mathews	Stevens
Day	McLean	Ward of 5th
Gordy	McDowell	Ward of 7th
Griffith	McCurry	Womble
Harrell	McWilliams	Wood
Harben	McCollum	Mr. President
Irwin	McClure	

The Journal of Friday was read and approved.

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof.

*Mr President:*

The House has adopted the following resolution, to-wit:

A resolution inviting Hon. A. S. Clay, United States Senator from Georgia, to address joint session of the General Assembly Wednesday, July 7th, 1909.

The following standing committees were appointed by the President:

#### CHAIRMAN AND VICE-CHAIRMAN

##### ACADEMY FOR THE BLIND.

RUTHERFORD, Chairman.

JACKSON, Vice-Chairman.

##### AGRICULTURE.

PRICE, Chairman.

MURRAY, Vice-Chairman.

##### APPROPRIATIONS.

BURWELL, Chairman.

MCCURRY, Vice-Chairman.

##### AUDITING.

SELLERS, Chairman.

HARBEN, Vice-Chairman.

## BANKS.

MORRIS, Chairman.

BOWEN, Vice-Chairman.

CONGRESSIONAL AND LEGISLATIVE  
REAPPORTIONMENT.

WARD, C. A., Chairman.

AKIN, Vice-Chairman.

## CONSTITUTIONAL AMENDMENTS.

PERRY, Chairman.

IRWIN, Vice-Chairman.

## CORPORATIONS.

IRWIN, Chairman.

HARRELL, Vice-Chairman.

## COUNTIES AND COUNTY MATTERS.

CALLAWAY, R. D., Chairman.

CALHOUN, Vice-Chairman.

## EDUCATION AND PUBLIC SCHOOLS.

McWILLIAMS, Chairman.

KEMP, Vice-Chairman.

## ENGROSSING.

PATTERSON, Chairman.

RUTHERFORD, Vice-Chairman.

## ENROLLMENT

CONLEY, Chairman.

HARRELL, Vice-Chairman.

## FINANCE.

SLATER, Chairman.

AKIN, Vice-Chairman.

## HALLS AND ROOMS.

HARRELL, Chairman.

WOOD, Vice-Chairman.

## HYGIENE AND SANITATION.

RUDICIL, Chairman.

MCLEAN, Vice-Chairman.

## IMMIGRATION AND LABOR.

JACKSON, Chairman.

PERRY, Vice-Chairman.

## INTERNAL IMPROVEMENTS.

HARRELL, Chairman.

JOHNSON, Vice-Chairman.

## JOURNALS.

AKIN, Chairman.

BLACKWELL, Vice-Chairman.

## GENERAL JUDICIARY

MATHEWS, Chairman.

GRIFFITH, Vice-Chairman.

## SPECIAL JUDICIARY

WOMBLE, Chairman.

JACKSON, Vice-Chairman.

## MANUFACTURERS.

KING, Chairman.

McDOWELL, Vice-Chairman.

## MILITARY AFFAIRS.

McCURRY, Chairman.

MORRIS, Vice-Chairman.

## MINES AND MINING.

DAY, Chairman.

HARBEN, Vice-Chairman.

## PENITENTIARY

GORDY, Chairman.

PATTERSON, Vice-Chairman.

## PENSIONS.

CATES, Chairman.

MAYS, Vice-Chairman.

PRIVILEGES AND ELECTIONS.

MURRAY, Chairman.

BLACKWELL, Vice-Chairman.

PRIVILEGES OF FLOOR.

WOOD, Chairman.

CATES, Vice-Chairman.

PUBLIC LIBRARY

KEMP, Chairman.

McDOWELL, Vice-Chairman.

PUBLIC PRINTING.

GRIFFITH, Chairman.

DAY, Vice-Chairman.

PUBLIC PROPERTY

McCOLLUM, Chairman.

BOWEN, Vice-Chairman.

PUBLIC ROADS.

McDOWELL, Chairman.

CALLAWAY, R. D., Vice-Chairman.

RAILROADS.

LONGLEY, Chairman.

KING, Vice-Chairman.



## RULES.

THE PRESIDENT, Chairman, Ex-Officio.  
McCURRY, Vice-Chairman.

## SCHOOL FOR DEAF

PITTS, Chairman.  
JOHNSON, Vice-Chairman.

## STATE OF THE REPUBLIC.

BLACKWELL, Chairman.  
PERRY, Vice-Chairman.

## STATE SANITARIUM.

McLEAN, Chairman.  
McCOLLUM, Vice-Chairman.

## TEMPERANCE.

CALLAWAY, J. P., Chairman.  
LONGLEY, Vice-Chairman.

## UNIVERSITY OF GEORGIA.

STEVENS, Chairman.  
WARD, C. A., Vice-Chairman.

## WESTERN &amp; ATLANTIC RAILROAD.

McCLURE, Chairman.  
RUTHERFORD, Vice-Chairman.

ACADEMY FOR THE BLIND.

RUTHERFORD, Chairman.

JACKSON, Vice-Chairman.

Wood,  
Johnson,  
Cates,

Kemp,  
Mays.

AGRICULTURE.

PRICE, Chairman.

MURRAY, Vice-Chairman.

Callaway, J. P.,  
Akin,  
Bowen,  
Callaway, R. D.,  
Cates,  
Day,  
Harben,  
Johnson,  
Kemp,  
Mays,  
McWilliams,

McCollum,  
McClure,  
McLean,  
Stevens,  
Ward, J. S.,  
Ward, C. A.,  
Wood,  
McDowell,  
Womble,  
Blackwell.

## APPROPRIATIONS.

BURWELL, Chairman.

McCURRY, Vice-Chairman.

Bowen,	Womble,
Callaway, J. P.,	Mays,
Cates,	Morris,
Griffith,	McLean,
Irwin,	McDowell,
Jackson,	McCollum,
Longley,	Rudicil,
Stevens,	Rutherford,
Conley,	McWilliams.

## AUDITING.

SELLERS, Chairman.

HARBEN, Vice-Chairman.

Day,	Mays,
Jackson,	Womble.
Conley,	

## BANKS.

MORRIS, Chairman.

BOWEN, Vice-Chairman.

Akin,	Longley,
Callaway, J. P.,	McDowell,
Conley,	Sellers.
King,	

CONGRESSIONAL AND LEGISLATIVE  
REAPPORTIONMENT.

WARD, C. A., Chairman.

AKIN, Vice-Chairman.

Callaway, R. D.,	Griffith,
Patterson,	Slater.

CONSTITUTIONAL AMENDMENTS.

PERRY, Chairman.

IRWIN, Vice-Chairman.

Longley,	Womble,
Callaway, R. D.,	Rutherford,
Slater,	Calhoun,
Matthews,	Gordy,
Morris,	Sellers.

CORPORATIONS.

IRWIN, Chairman.

HARREL, Vice-Chairman.

Calhoun,	Pitts,
King,	Sellers.
McDowell,	Stevens.
McClure,	Akin.
Patterson,	Bowen.
Mays,	

## COUNTIES AND COUNTY MATTERS.

CALLAWAY, R. D., Chairman.

CALHOUN, Vice-Chairman.

McDowell,  
Johnson,  
Cates,  
Patterson,Pitts,  
McWilliams,  
Ward, J. S.,  
Wood.

## EDUCATION AND PUBLIC SCHOOLS.

McWILLIAMS, Chairman.

KEMP, Vice-Chairman.

McLean,  
McClure,  
Cates,  
Bowen,  
Callaway, J. P.,  
Johnson,  
Mays,  
Akin,  
Morris,  
Griffith,  
Harrell,Irwin,  
Harben,  
Perry,  
McCurry,  
Blackwell,  
Pitts,  
Ward, J. S.,  
Womble,  
Gordy,  
Wood.

## ENGROSSING.

PATTERSON, Chairman.

RUTHERFORD, Vice-Chairman.

Harrell,  
Burwell,

Cates.

## ENROLLMENT

CONLEY, Chairman.

HARRELL, Vice-Chairman.

Kemp,  
Pitts,  
Sellers,

Rutherford,  
Wood,  
Ward, J. S.

## FINANCE.

SLATER, Chairman.

AKIN, Vice-Chairman.

Bowen,  
Calloway, R. D.,  
Calloway, J. P.,  
Calhoun,  
Gordy,  
King,

Matthews,  
Stevens,  
Price,  
Ward, C. A.,  
McClure.

## HALL AND ROOMS.

HARRELL, Chairman.

Wood, Vice-Chairman.

Day,

Conley

## HYGIENE AND SANITATION.

RUDICIL, Chairman.

MCLEAN, Vice Chairman.

Longley,  
Patterson,

McCurry,  
Morris.

## IMMIGRATION AND LABOR.

JACKSON, Chairman.

PERRY, Vice-Chairman.

McCurry,  
Slater,  
Gordy,  
Blackwell,  
Burwell,

Price,  
Rutherford,  
Womble,  
Akin,  
King.

## INTERNAL IMPROVEMENTS.

HARRELL, Chairman.

JOHNSON, Vice-Chairman.

Wood,  
Murray,

Day,  
Conley

## JOURNALS.

AKIN, Chairman.

BLACKWELL, Vice-Chairman.

Wood,  
Harben,

Ward, J S., Jr.

## GENERAL JUDICIARY

MATHEWS, Chairman.

GRIFFITH, Vice-Chairman.

Burwell,  
Calhoun,  
Day,  
Harrell,  
Irwin,  
Jackson,  
Longley,

McCurry,  
Perry,  
Rutherford,  
Sellers,  
Slater,  
Ward, C A.,  
Womble.

SPECIAL JUDICIARY

WOMBLE, Chairman.

JACKSON, Vice-Chairman.

Price,	McCollum,
Stevens,	Patterson,
Callaway, J. P.,	Murray,
Gordy,	Morris.
McClure,	

MANUFACTURERS.

KING, Chairman.

McDOWELL, Vice-Chairman.

Akin,	Ward, J. S., Jr
Patterson,	Stevens,
Pitts,	Murray

MILITARY AFFAIRS.

McCURRY, Chairman.

MORRIS, Vice-Chairman.

Rutherford,	Stevens,
Slater,	Gordy,
Ward, C. A.,	Sellers.

MINES AND MINING.

DAY, Chairman.

HARBEN, Vice-Chairman.

Wood,	Conley,
Perry,	Rudicil.



## PENITENTIARY

GORDY, Chairman.

PATTERSON, Vice-Chairman.

Mays,	McClure,
Conley,	McWilliams,
McLean,	Griffith,
Irwin,	King,
Ward, J. S., Jr.	Ward, C. A.,
Callaway, J. P.,	Calhoun.
Callaway, R. D.,	

## PENSIONS.

CATES, Chairman.

MAYS, Vice-Chairman.

Gordy,	Harben,
Wood,	Blackwell,
Burwell,	Morris,
McDowell,	Jackson.

## PRIVILEGES AND ELECTIONS.

MURRAY, Chairman.

BLACKWELL, Vice-Chairman.

Kemp,	Griffith,
Price,	Harben.
Ward, J. S., Jr.,	

## PRIVILEGES OF FLOOR.

WOOD, Chairman.

CATES, Vice-Chairman.

McClure,	Sellers.
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PUBLIC LIBRARY

KEMP, Chairman.

McDOWELL, Vice-Chairman.

Sellers, Perry  
Callaway, R. D.,

PUBLIC PRINTING.

GRIFFITH, Chairman.

DAY, Vice-Chairman.

Stevens, Ward, J. S., Jr.  
Calhoun,

PUBLIC PROPERTY

McCOLLUM, Chairman.

BOWEN, Vice-Chairman.

Johnson, Rudicil.

PUBLIC ROADS.

McDOWELL, Chairman.

CALLAWAY, R. D., Vice Chairman.

Rutherford, Rudicil,  
Murray, Harrell,  
Bowen, Ward, J. S., Jr.,  
McCollum, Matthews,  
Jackson, Morris.

## RAILROADS.

LONGLEY, Chairman.

KING, Vice-Chairman.

Irwin,	Patterson,
McLean,	Womble,
Kemp,	Akin,
Mays,	Gordy,
McDowell,	Callaway, R. D.,
McCollum,	Price,
McClure,	Calhoun.
Slater,	

## RULES.

THE PRESIDENT, Chairman, Ex-Officio.

MCCURRY, Vice-Chairman.

Matthews,	Longley,
Slater,	Irwin,
Burwell,	Gordy

## SCHOOL FOR DEAF

PITTS, Chairman.

JOHNSON, Vice-Chairman.

Harrell,	Rudicil,
Kemp,	Blackwell.
McLean,	

## STATE OF THE REPUBLIC

BLACKWELL, Chairman.

PERRY, Vice-Chairman.

Burwell,  
Longley,  
Price,Murray,  
Mathews,  
Day

## STATE SANITARIUM.

McLEAN, Chairman.

McCOLLUM, Vice-Chairman.

Griffith,  
Calloway, J. P.,  
Conley,  
Callaway, R. D.,  
Irwin,  
King,  
McCurry,  
Harben,Murray,  
Mays,  
Ward, J. S., Jr.,  
Johnson,  
Rutherford,  
Jackson,  
Cates,  
McWilliams.

## TEMPERANCE.

CALLAWAY, J. P., Chairman.

LONGLEY, Vice-Chairman.

Akin,  
McCollum,  
Slater,  
Morris,  
McDowell,  
McLean,  
Price,  
Bowen,  
Womble,Mathews,  
Perry,  
Jackson,  
McCurry,  
Gordy,  
Blackwell,  
Day,  
Pitts.

## UNIVERSITY OF GEORGIA.

STEVENS, Chairman.

WARD, C. A., Vice-Chairman.

McCurry,	Slater,
Price,	Rudicil,
Calhoun,	Harben,
McClure,	McWilliams,
Pitts,	Mathews.
Callaway, of 29th,	

## WESTERN &amp; ATLANTIC RAILROAD.

McCLURE, Chairman.

RUTHERFORD, Vice-Chairman.

McCullum,	Patterson,
King,	Womble,
Callaway, J. P.,	Bowen,
McWilliams,	Price,
Harben,	Irwin,
Ward, C. A.,	Mathews,
McDowell,	Burwell.

Mr. Slaton moved to proceed at this time to elect a U. S. Senator from Georgia, the motion was carried.

Mr. Slaton placed in nomination for U. S. Senator the Hon. A. S. Clay, from county of Cobb, this nomination was seconded by Mr. Ward. There being no other nomination, the President ordered the call of the roll, and the following Senators voted for Hon. A. S. Clay for U. S. Senator from Georgia for a term of six years from March 4th, 1909.

Those voting were Messrs:

Akin	Johnson	Price
Burwell	Jackson	Perry
Blackwell	King	Pitts
Callaway of 29th	Longley	Rutherford
Calhoun	Mays	Rudieil
Cates	Murray	Sellers
Conley	Mathews	Stevens
Day	McLean	Ward of 5th
Gordy	McDowell	Ward of 7th
Griffith	McWilliams	Womble
Harrell	McCollum	Wood
Harben	McClure	Mr. President
Irwin	Patterson	

Those not voting were Messrs:

Bowen	Kemp	McCurry
Callaway of 10th	Morris	Slater

Upon casting up the vote it appeared that the Hon. A. S. Clay had received 38 votes, which was a majority of all the votes cast.

ATLANTA, GEORGIA, JULY 6th, 1909

The following message was received from His Excellency the Governor, through his Secretary Mr Blackburn:

*Mr President:*

I am directed by His Excellency the Governor, to deliver to the General Assembly a communication in writing.

The following is the message:

STATE OF GEORGIA,

EXECUTIVE DEPARTMENT,

ATLANTA, July 6th, 1909.

*To the General Assembly:*

On the 1st inst. I addressed a communication to Hon. J Pope Brown, State Treasurer, requesting that he give me a statement of the condition of the Treasury at the close of that day's business, setting forth the various funds, and showing the amount available for general purposes, with an estimate of the receipts and disbursements for the next quarter. I herewith transmit for your consideration a copy of his reply

From this statement you will see that the amount in the Treasury available for general purposes is not sufficient to pay the expenses of your body during this session without any reference whatever to the other necessary expenses of the Government. I also desire to call your special attention to the fact that the estimated receipts for this quarter will fall at least two hundred thousand dollars below the estimated disbursements for the quarter.

The pressing necessity for some immediate action

is apparent from this report of the condition of our Treasury

I submit for your consideration the advisability of making the near beer fund, or some portion thereof, available for general purposes, or the enactment of some other measure that will give immediate relief to the Treasury

Respectfully submitted,

JOSEPH M. BROWN, *Governor*

# STATE OF GEORGIA.

## TREASURY DEPARTMENT.

ATLANTA, GA., July 2, 1909.

HON. JOSEPH M. BROWN, *Governor*,

Atlanta, Ga.

Dear Sir:

In compliance with your request of the 1st inst., I beg to submit the following:

Cash on Hand	-----	\$534,698.99
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### Reserve Fund:

Sinking Fund	-----	\$120,000.00
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July Interest	-----	145,577.50
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Near Beer	-----	227,395.24
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	-----	\$492,972.74
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Available for General Purposes	-----	\$ 41,726.25
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The estimated Receipts for the next Quar-  
 ter will be-----\$330,000.00  
 The estimated Disbursements for the next  
 Quarter will be-----\$530,000.00

Yours very truly, .

J POPE BROWN,

State Treasurer.

The following joint resolution was read and  
 adopted:

By Mr. Fullbright—

A resolution inviting Senator A. S. Clay to ad-  
 dress General Assembly Wednesday, July 7th, 1909.

The following Senate bills were read 1st time:

By Mr. Slaton—

A bill to provide for county police in certain coun-  
 ties in the State, and for other purposes.

Referred to the Counties and County Matters  
 Committee.

By Mr. Gordy—

A bill to amend Section 4458 of the Code, relative to giving of bond for costs in Justice Courts.

Referred to the General Judiciary Committee.

By Mr. Harrell—

A bill to prescribe a rule of evidence in prosecutions for the illegal sale of intoxicating liquors.

Referred to the General Judiciary Committee.

By Mr. Griffith—

A bill to amend Section 2573 of the Code relative to written notice to relations.

Referred to the State Sanitarium Committee.

On motion the Senate adjourned until tomorrow morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GEORGIA,

WEDNESDAY, JULY 7th, 1909.

The Senate met pursuant to adjournment at 10 o'clock, was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Akin	Johnson	Patterson
Bowen	Jackson	Price
Burwell	Kemp	Perry
Blackwell	King	Pitts
Callaway of 10th	Longley	Rutherford
Callaway of 29th	Mays	Rudieil
Calhoun	Murray	Slater
Cates	Morris	Sellers
Conley	Mathews	Stevens
Day	McLean	Ward of 5th
Gordy	McDowell	Ward of 7th
Griffith	McCurry	Womble
Harrell	McWilliams	Wood
Harben	McCollum	Mr. President
Irwin	McClure	

The Journal of yesterday was read and approved.

By unanimous consent Senate Bill No. 57 was withdrawn from the General Judiciary Committee and referred to the Special Judiciary Committee.

The following Senate bills were read 1st time.

By Mr. Griffith—

A bill to allow sheriffs and all other levying officers to retake personal property after having levied thereon, under any legal process.

Referred to the General Judiciary Committee.

By Mr. Griffith—

A bill to amend Section 342 of the Penal Code relative to carrying concealed weapons.

Referred to the General Judiciary Committee.

By Mr. Griffith—

A bill to amend Section 2766 of the Code, relative to giving bond for property after same is levied on.

Referred to the General Judiciary Committee.

By Mr. Perry—

A bill to require Legislative Counsel to register with the Secretary of State, and for other purposes.

Referred to the General Judiciary Committee.

By Mr. Jackson—

A bill to prohibit unfair commercial discrimination between different sections.

Referred to the General Judiciary Committee.

By Mr. Rutherford—

A bill for the protection of benevolent associations in this State, and for other purposes.

Referred to the General Judiciary Committee.

ATLANTA, GEORGIA, JULY 7th, 1909.

The following message was received from His Excellency the Governor, through his Secretary, Mr. Blackburn:

*Mr. President:*

I am directed by His Excellency the Governor, to deliver to the General Assembly a communication in writing.

The following is the message:

## STATE OF GEORGIA,

## EXECUTIVE DEPARTMENT,

ATLANTA, July 7th, 1909.

*To the General Assembly:*

I have received from Judge John L. Hopkins a communication on the subject of codifying the laws. That a present codification of the statutes is necessary cannot be doubted. A satisfactory book at the least cost to the State is desirable.

The experience of Judge Hopkins in such matters, and his eminent abilities are well known, and inasmuch as there are several measures before your body upon this subject, I have thought it advisable to transmit herewith his letter for your consideration.

Respectfully submitted,

JOSEPH M. BROWN, Governor.

ATLANTA, GEORGIA, JUNE 30, 1909.

HON. JOSEPH M. BROWN, Governor.

*Sir:*

I have codified and placed in the Code of 1895, all the statutes of this State that have been enacted

since the adoption of that Code, and I now, through you, respectfully offer the book to the State.

For nearly three years I have given my undivided time, carefully and deliberately, to this work.

To describe the work in general terms, I will state that I have placed in this new Code, in Code language, and in as good form as I am capable of, all the statutes of a general and permanent nature that have been passed during the period referred to. It has also the Rules of the Courts and the two Constitutions with all amendments.

The legislative intention has not been consciously interfered with in a single instance.

The general plan of the Code of 1895 has been adhered to, and has been interrupted only where the introduction of new matter made it imperative. Repealed Sections have been withdrawn, and all amendments to Sections are made duly to appear. The Code of 1895 is brought up to this date, except as to annotations of Supreme Court decisions rendered since 1895. Those I have not prepared. I have made marginal references to all the statutes.

As to the size of the work, there are now 949 more Sections than are in the Code of 1895. Without any annotations of Supreme Court decisions, the entire work will make one volume of about 1738 pages, or 295 pages less than the second volume of the Code

of 1895, and 1240 pages less than the three volumes of that Code. With all annotations of decisions to this date, it will make about 3364 pages or 386 pages more than the three volumes of the Code of 1895. I can furnish the book with, or without, the annotations of decisions that are already in the Code of 1895. If the State should continue the policy of making such annotations, and bringing them up to this date, by appropriate legislation they can be had by the time the printers would need them.

A present codification of our laws is a necessity

In the Code of 1895, there are 515 Sections that are not laws as they there appear. They have been amended or repealed. To say no more of such a condition, it is highly misleading and should be corrected.

During the entire existence of the State, the laws have been compiled, digested, or codified, every ten or twelve years. As to that matter, a longer period has elapsed since 1895, than ever occurred before. There are now thirteen volumes of session laws to be codified. A volume for this session will make it fourteen. There were only ten volumes when the Code of 1895 was made. The editions of some of these session law volumes are practically exhausted. In no like period of the State's history, has there been more, if as much, important legislation, as there has been during the last past thirteen years, and



that legislation is scattered through thirteen volumes which are practically inaccessible to the public.

As soon as the laws of the present session of the Legislature are placed in my work, it will be ready for examination by the State.

Under existing circumstances, legislation can be so shaped as to put this new Code, with, or without, all annotations of decisions, in the State Library in the early part of next year. When the Code of 1895 was made, it was two years and five months, after the passage of the Act, before volume 3 was delivered, and more than three years before the other volumes were ready.

I respectfully request that Your Excellency will give this matter such direction as you may deem to be in the public interest.

Respectfully,

JOHN L. HOPKINS.

Senator Callaway, of the 29th, was added to the Committee on University of Georgia.

By unanimous consent the following Senate bills were withdrawn from the Special Judiciary Committee and referred to the General Judiciary Committee.

By Mr. Patterson—

A bill to alter and fix the compensation of County Treasurers in this State

By Mr. Patterson—

A bill to abolish the office of County Treasury in this State.

The following Senate bill was read 1st time:

By Mr. McCurry—

A bill to repeal Section 4118 of the Code of Georgia.

Referred to the General Judiciary Committee.

The hour of 12 o'clock having arrived the Senate repaired to the Hall of the House of Representatives for the purpose of declaring the result in the election for United States Senator from Georgia taken in both Houses on yesterday

The President of the Senate took the Chair and called the General Assembly to order. The Journals of the Senate and House of Representatives of Tuesday, July 6th, was read by direction of the President. It appearing from the Journals that the

Hon. A. S. Clay, of the county of Cobb, had received a majority of the votes cast in each House, the same being a majority of all the members-elect to both Houses, the President declared the Hon. A. S. Clay duly elected United States Senator from Georgia for the term ending March 4th, 1915.

Mr. Moss, of Cobb moved that a Committee of two from the Senate and three from the House be appointed to escort the Hon. A. S. Clay to the Chair to deliver an address which he had previously been invited to make by joint resolution. The committee performed that duty. The President of the Senate then introduced the Hon. A. S. Clay, and he proceeded to deliver his address. At the conclusion of his speech the joint session was dissolved and the Senate repaired to the Senate Chamber, and was called to order by the President.

The hour of adjournment having arrived the Senate stood adjourned until tomorrow morning at 10 o'clock.

## SENATE CHAMBER, ATLANTA, GEORGIA,

THURSDAY, JULY 8th, 1909.

The Senate met pursuant to adjournment at 10 o'clock, was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll, the following members answered to their names:

Akin	Johnson	Patterson
Bowen	Jackson	Price
Burwell	Kemp	Perry
Blackwell	King	Pitts
Callaway of 10th	Longley	Rutherford
Callaway of 29th	Mays	Rudieil
Calhoun	Murray	Slater
Cates	Morris	Sellers
Conley	Mathews	Stevens
Day	McLean	Ward of 5th
Gordy	McDowell	Ward of 7th
Griffith	McCurry	Womble
Harrell	McWilliams	Wood
Harben	McCollum	Mr. President
Irwin	McClure	

The Journal of yesterday was read and approved.

Mr. Mathews, Chairman of the General Judiciary Committee, submits the following report:

*Mr. President:*

The General Judiciary Committee has had under consideration the following bill of the Senate which it instructs me to report back to the Senate with the recommendation that the same do pass.

A bill to provide for holding three terms of the Supreme Court of Montgomery county in each year.

The committee also recommends that the following Senate bill be committed to the Constitutional Amendments Committee.

A bill to amend the Constitution so as to provide for biennial sessions of the General Assembly

Respectfully submitted,

H. A. MATHEWS, Chairman.

Mr. McWilliams, Chairman of the Committee on Education, submitted the following report:

*Mr. President:*

The Committee on Education has had under consideration the following bills of the Senate and I am instructed to report the same back to the Senate with the recommendation that they do pass, to-wit:

A bill to amend the Act of 1887 so as to provide

that County Boards of Education may borrow money to pay teachers' salaries monthly

A bill to declare 12th of February "Georgia Holiday" and for its observance.

Respectfully submitted,

S. C. McWILLIAMS, Chairman.

Mr. Womble, Chairman of the Committee on Special Judiciary, submits the following report:

*Mr President:*

The Committee on Special Judiciary has had under consideration the following Senate bill which I am instructed to report back to the Senate with the recommendation that the same do pass as amended, to-wit:

A bill to be entitled an Act to repeal an Act of the General Assembly of Georgia approved December 28th, 1898, creating the City Court of Dawson, and all the amendments thereto for the county of Terrell and for the transferring of cases pending therein to the Superior Court of said county

Respectfully submitted,

M. D. WOMBLE, Chairman.

July 8th, 1909.

Mr. Cates, Chairman of the Committee on Pensions, submitted the following report:

*Mr. President:*

The Committee on Pensions has had under consideration the following Senate bill which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to fix the compensation of the ordinary in this State for preparing pension papers.

Respectfully submitted,

✓ F. M. CATES, Chairman.

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has adopted the following resolution, to-wit:

A resolution providing for a joint committee to investigate the condition of the galleries of the House and Senate and for other purposes.

By unanimous consent the following Senate bill was withdrawn from the General Judiciary Commit-

tee and referred to the Constitutional Amendments Committee.

By Mr. McCurry—

A bill to amend the Constitution so as to provide for biennial sessions of the General Assembly

The following Senate bills were read 1st time.

By Mr. McCurry

A bill to amend an Act to conform the organization and discipline of the organized militia of this State.

Referred to the Military Committee

By Messrs. Ward, of 7th, and Kemp, of 16th—

A bill to amend the Constitution, Section 4, Article 2, which provides for the recall of officials.

Referred to the Constitutional Amendments Committee

By Messrs. Ward, of 7th, and Kemp, of 16th—

A bill to amend the Constitution so as to provide



for the initiative and referendum, and for other purposes.

Referred to the Constitutional Amendments Committee.

By Messrs. King, 14th; Gordy, 24th; Calhoun, 15th—

A bill to make uniform the fees of Ordinaries for issuing marriage licenses, and for other purposes.

Referred to the Special Judiciary Committee.

By Mr. Mathews—

A bill to provide for the regular exchange between Georgia and other States for documents, and for other purposes.

Referred to the Public Library Committee.

By Mr. Perry—

A bill to create a lien on automobiles in certain cases, and for other purposes.

Referred to the General Judiciary Committee.

The following resolutions were read 1st time:

By Mr. Callaway, 29th district—

A resolution providing for the disposal of the cotton tax if refunded by the United States by appropriating same to Confederate veterans.

This resolution lay on table for one day

By Mr. Mathews—

A resolution to appoint a committee of 3 from the Senate and 7 from the House to consider and report to the General Assembly a measure to secure more full returns of property in this State for taxes.

Referred to the Finance Committee.

The following Senate bills were read 2d time:

By Mr. Gordy—

A bill to fix the compensation of Ordinaries of this State for receiving and paying pensions to Confederate veterans.

By Mr. Calhoun—

A bill to provide for holding 3 terms of the Superior Court in Montgomery county

By Mr. McWilliams—

A bill to authorize the County Boards of Education to borrow money to pay school teachers.

By Mr. Irwin—

A bill to repeal the Act creating the City Court of Dawson in the county of Terrell.

By Mr. Slaton—

A bill to provide that the 12th day of February shall be known as Georgia Day, and shall be observed by the public schools.

By unanimous consent the following bill was withdrawn from the Hygiene and Sanitation Committee and referred to the Special Judiciary Committee.

By Mr. Morris—

A bill to regulate the practice of Optometry in this State.

The following joint resolution of the House was taken up and concurred in.

By Mr. Butts—

A resolution to provide for a joint committee to

investigate the condition of the galleries of the House and Senate.

On motion the Senate adjourned until tomorrow morning at 10 o'clock.

## SENATE CHAMBER, ATLANTA, GA.

FRIDAY, JULY 9th, 1909.

The Senate met pursuant to adjournment at 10 o'clock, was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Akin	Johnson	Patterson
Bowen	Jackson	Price
Burwell	Kemp	Perry
Blackwell	King	Pitts
Callaway of 10th	Longley	Rutherford
Callaway of 29th	Mays	Rudicil
Calhoun	Murray	Slater
Cates	Morris	Sellers
Conley	Mathews	Stevens
Day	McLean	Ward of 5th
Gordy	McDowell	Ward of 7th
Griffith	McCurry	Womble
Harrell	McWilliams	Wood
Harben	McCollum	Mr. President
Irwin	McClure	

The Journal of yesterday was read and approved.

Mr. Callaway, of 29th District, Chairman of the Committee on Counties and County Matters, submitted the following report:

*Mr President:*

The Committee on Counties and County Matters has had under consideration the following Senate bills, which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to authorize the city council of Augusta to acquire by condemnation lands for waterworks purposes.

Also,

A bill to abolish the office of county treasurer in this State.

Respectfully submitted,

R. D. CALLAWAY, Chairman.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House has adopted the following Resolutions, to-wit:

A Resolution to amend the inscription to be placed on the monument of General James Edward Oglethorpe, and to provide for the unveiling ceremonies of the same.

A Resolution requesting the Georgia Senators and Congressmen to use their influence towards requiring the Agricultural Department to gather certain information as to amount of cotton in warehouses, etc.

A Resolution requesting the Georgia Senators and Congressmen to use their votes and influence in behalf of such bills as will prohibit the fictitious trading on stock exchanges.

A Resolution to direct His Excellency the Governor to communicate with Mr. Luther Burbank, of Sana Rosa, California, to request him to include the cotton plant in his experiments.

Also, the House has passed by the requisite Constitutional majority, the following bill of the House, to-wit:

“A bill to be entitled an Act to rearrange the Ocmulgee and Northern Judicial Circuits by taking the county of Hancock from the Northern Circuit and adding same to Ocmulgee Circuit.”

The following Senate bills were read first time:

By Mr. Longley—

A bill to define the rights and powers of orphan's

homes and asylums and other benevolent institutions in this State.

Referred to the General Judiciary Committee.

By Mr. Akin—

A bill to repeal all laws now of force in this State authorizing the issue of grants to land under head-rights and for other purposes.

Referred to the Public Property Committee.

By Mr. Perry—

A bill to amend Section 2, Article 7 of the Constitution of Georgia by adding two new paragraphs to said Section.

Referred to the Constitutional Amendments Committee.

By Mr. Patterson—

A bill to amend Section 982 of the Code so as to add the town of Colquitt to the list of State depositors.

Referred to the Banks Committee.



By Mr. Sellers—

A bill to create a system of protection to bank depositors in this State.

Referred to the General Judiciary Committee.

By Mr. Gordy—

A bill to protect the health of the traveling public by requiring hotels and inns to furnish clean sheets.

Referred to the Hygiene and Sanitation Committee.

The following Senate bills were read second time:

By Mr. Price—

A bill to abolish the office of county treasurer in this State.

By Mr. Morris—

A bill to authorize the city council of Augusta to acquire by condemnation or other proceedings any real property in the City of Augusta and Richmond county which may be necessary for the laying of water pipes and for other purposes.

By Mr. Burwell—

A bill to amend the Act creating the city court of Sparta.

The following Senate bills were read third time to be put upon their passage:

By Mr. Irwin—

A bill to repeal the Act creating the city court of Dawson, in Terrell county

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 31, nays 0, the bill having received the requisite Constitutional majority was passed as amended and the amendments are as follows:

By striking out the word "immediately" in the next to the last line of the second paragraph on the second page of the bill and adding after the word "effect" in the last line of the said paragraph the words "on December 10th, 1910."

By Mr. Calhoun—

A bill to provide for holding three terms of the Superior Court in the county of Montgomery each year.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 32, nays 0, the bill having received the requisite Constitutional majority was passed.

By Mr. McWilliams—

A bill to authorize the county Boards of Education to borrow money to pay teachers.

Report of the Committee was adopted as amended.

Upon the passage of the bill the ayes were 31, nays 0, the bill having received the requisite constitutional majority was passed by substitute, which was offered by Mr Griffith.

By Mr. Slaton—

A bill to provide that the 12th day of February in each year shall be observed in the public schools of this State.

Report of the Committee was agreed to:

Upon the passage of the bill the ayes were 31, nays 0, the bill having received the requisite Constitutional majority, was passed.

By unanimous consent the following bill was taken from the table and referred to the General Judiciary Committee:

By Mr Gordy—

A bill to fix the compensation for Ordinaries of this State for receiving and paying annual pensions to Confederate veterans.

Mr. Womble, Chairman of the Special Judiciary Committee, submits the following report:

*Mr. President:*

The Special Judiciary Committee has had under consideration the following bill of the Senate, which it instructs me to report back with the recommendation that the same do pass by substitute.

A bill to amend the Act creating the city court of Sparta.

Respectfully submitted,

M. D. WOMBLE, Chairman.

By unanimous consent the following Senate bill was withdrawn from the Appropriation Committee and referred to the General Judiciary Committee.

By Mr Callaway, of 29th—

A bill to fix the salary of the stenographer in the office of Attorney General.

The following Senate bills were read first time.

By Mr. Johnson—

A bill to amend the Constitution by repealing Par. 1, Sec. 9, Article 3, of the Constitution by changing compensation of members of the General Assembly

Referred to the Constitutional Amendments Committee.

By Mr. Rutherford—

A bill to amend the Act creating the Bank bureau for the State of Georgia and for other purposes.

Referred to the Banks Committee.

The following House bill was read first time:

By Mr. Lewis—

A bill to take from the Northern Judicial Circuit the county of Hancock and add same to the Oconee Judicial Court.

Referred to the General Judiciary Committee.

The following House Resolutions were read first time:

By Mr. Alexander—

A Resolution to direct His Excellency, the Governor, to communicate with Mr. Luther Burbank, of Santa Rosa, Cal., to request him to include the cotton plant in his experiments.

By Mr. Vinson—

A Resolution requesting the Georgia delegation in Congress to use their influence toward requiring the Agricultural Department to gather certain information as to amount of cotton in warehouses.

By Mr. Vinson—

A Resolution requesting the Georgia delegation in Congress to use their votes and influence in behalf of such bills as will prohibit the fictitious trading on stock exchanges.

•

By Mr. Anderson—

A Resolution to amend the inscription to be placed upon the monument of General James Edward Oglethorpe, and to provide for the ceremonies attending the unveiling of same.

On motion this resolution was concurred in.

By unanimous consent Senator Perry was excused for being absent three days from the Senate last week.

On motion the Messenger was granted leave of absence from today's session on account of sickness.

On motion the Senate adjourned until next Monday at 11 o'clock.

## SENATE CHAMBER, ATLANTA, GA.

MONDAY, JULY 12th, 1909.

The Senate met pursuant to adjournment at 11 o'clock, was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Akin	Johnson	Patterson
Bowen	Jackson	Price
Burwell	Kemp	Perry
Blackwell	King	Pitts
Callaway of 10th	Longley	Rutherford
Callaway of 29th	Mays	Rudieil
Calhoun	Murray	Slater
Cates	Morris	Sellers
Conley	Mathews	Stevens
Day	McLean	Ward of 5th
Gordy	McDowell	Ward of 7th
Griffith	McCurry	Womble
Harrell	McWilliams	Wood
Harben	McCollum	Mr. President
Irwin	McClure	

The Journal of Friday was read and approved.

Mr. Patterson, Chairman of the Committee on Engrossing, submitted the following report:



*Mr President:*

The Committee on Engrossing have examined and found correctly engrossed and ready for transmission to the House of Representatives, the following Senate Bills, to-wit:

A bill to repeal an Act establishing the city court of Dawson, in Terrell county

Also,

A bill to allow county Boards of Education to borrow money for certain purposes.

Also,

A bill to provide for holding three terms a year of the Superior Court of Montgomery county.

Also,

A bill to provide for "Georgia Day" to be observed on February 12th each year.

Respectfully submitted,

L. F. PATTERSON, Chairman.

Mr. Rudicil, Chairman of the Committee on Hygiene and Sanitation, submitted the following report:

*Mr. President:*

The Committee on Hygiene and Sanitation has had under consideration the following bill of the Senate, which I am instructed to report back with the recommendation that it do pass, viz.:

A bill to prevent the issuing of marriage licenses to persons having the diseases of gonorrhœa or syphilis; to prescribe the manner of issuing marriage licenses and for other purposes.

Respectfully submitted,

R. Y. RUDICK, Chairman.

The following amendments to the Rules of the Senate were adopted; and the rules of the last Senate with these amendments were adopted:

*Mr. President:*

The Committee on Rules submits the following report:

JNO. M. SLATON,

Chairman Ex-Officio Committee on Rules.

Resolved, That the Rules of the Senate of 1907-1908, after being amended as below set out, be, and the same are hereby, adopted as the Rules to govern the Senate of 1909-1910.

1. Amend Rule 22 by striking out the last word "Senate" and inserting in lieu thereof the word "House."

2. Amend by striking out Rule 31 and substituting in lieu thereof the following:

"Rule 31. All bills and resolutions shall be called in the order in which they stand on the calendar, and before reading any bill or resolution the second or third time, the Secretary shall distinctly state its number and the name of the Senator by whom introduced; provided, That the General Appropriation Bill and the General Tax Bill shall have precedence on third reading until the same shall have been finally disposed of."

3. Amend further by adding a new Rule to be designated as 32, appropriately numbering the remaining Rules consecutively as follows:

"Rule 32. Every motion to suspend the Rules for the purpose of taking up bills or resolutions out of their regular order, and every motion to make special orders shall, except by the unanimous consent of the Senate, be submitted in writing and reported upon by the Committee on Rules before being submitted to the Senate."

4. Amend by adding to Rule 38 the following:

"A motion to adjourn in its simple form shall not be amended."

5. Amend by striking Rule 39 and substituting in lieu thereof the following:

“Rule 39. A motion to adjourn on a particular day, or for a particular time, if made when the Senate is not actually engaged in other business, is debatable.”

6. Amend by striking Rule 54 and substituting in lieu thereof the following:

“Rule 54. After the main question has been ordered, excepting one motion to reconsider the action in ordering the main question, no motion to reconsider shall be in order until after the vote on the main question is taken and announced.”

7. Amend by adding a new rule to be designated Rule 112, appropriately numbering the remaining Rules consecutively as follows:

“Rule 112. No Senator shall, after debating any question, and before yielding the floor, be allowed to submit any motion, the effect of which shall be to prevent further debate.”

8. Amend Rule 124 by adding at the end thereof the following:

“The Chairman and Chairman pro tem. of the Committee on Appropriations shall be ex-officio members of the Committee on Finance, and the

Chairman and Chairman pro tem. of the Committee on Finance shall be ex-officio members of the Committee on Appropriations.’’

9. Amend by adding a new Rule to be appropriately numbered and the other Rules numbered consecutively

Rule 126. The report of the Committee on Rules shall be in order at any time.

Mr. McWilliams, Chairman of the Committee on Education, submitted the following report:

*Mr President:*

The Committee on Education has had under consideration the following bill of the Senate, and I am instructed to report the same back to the Senate with the recommendation that it do pass, towit:

A bill to be entitled an Act to provide that County School Commissioners of the several counties of the State shall be elected by a vote of people of their respective counties.

Respectfully submitted,

S. C. McWILLIAMS, Chairman.

By unanimous consent the following Senate bill was read third time and put upon its passage.

By Mr. Burwell—

A bill to amend the Act of creating the city court of Sparta in Hancock county.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 31, nays, 0, the bill having received the requisite Constitutional majority was passed by substitute.

The following Senate bills were read first time:

By Mr. Pitts—

A bill to amend Section 4732 of the Code relative to the garnishments of daily, weekly and monthly wages and for other purposes.

Referred to the Special Judiciary Committee.

By Mr. Patterson—

A bill to make it the duty of the ordinaries of this State to have female patients conveyed to the insane asylum by a female.

Referred to the General Judiciary Committee.

By Mr. Griffith—

A bill to require the teaching of the elementary

principles of vocal music in the common schools of the State.

Referred to the Education Committee.

By Mr. Ward of 7th—

A bill to amend the Constitution of Georgia relative to election of Judges and Solicitors of the Superior Courts by the electors in their respective Judicial Circuits and for other purposes.

Referred to the Special Judiciary Committee.

By Mr. Ward of 7th—

A bill to require faithful performance of duty by teachers in the public schools of this State.

Referred to the Education Committee.

By Mr. Perry—

A bill to amend an Act providing for the collection of past due taxes to State, counties and municipalities and for other purposes.

Referred to the General Judiciary Committee.

By Messrs. Harrell, Kemp, Murray and Conley—

A bill to prescribe the manner of making returns

of accounts, promissory notes, judgments and executions and other written obligations subject to taxation.

Referred to the General Judiciary Committee.

By Mr. Calhoun—

A bill to authorize the State Librarian to furnish to the Clerk of the Superior Court of Montgomery certain Georgia Reports.

Referred to the Counties and County Matters Committee.

By Mr. Price—

A bill to create the office of State Veterinarian and to prescribe his duties.

Referred to the Agricultural Committee.

By Mr. Price—

A bill to protect the live stock of this State from all contagious or infectious diseases.

Referred to the Agricultural Committee

The following Senate bills were read second time.



By Messrs. McLean and Rudicil—

A bill to prevent the issuing of marriage license to persons having the disease of gonorrhœa or syphilis in certain stages.

By Mr. McCurry—

A bill to provide that County School Commissioners shall be elected by the people.

The following Senate Resolution was read first time and laid over:

By Mr. McCurry—

A Resolution requesting our representatives in Congress to vote to raise the salaries of the rural carriers.

The following House Resolutions were read and adopted:

By Mr. Vinson -

A Resolution to request our representatives in Congress to use their influence toward requesting the Agricultural Departments to gather certain information as to amount of cotton in warehouses.

By Mr. Alexander—

A Resolution to direct His Excellency, the Governor, to communicate with Mr. Luther Burbank, of Santa Rosa, California, to request him to include the cotton plant in his experiments.

The following House Resolution was read second time and referred to the Agricultural Committee:

By Mr. Vinson—

A Resolution requesting the Georgia delegation in Congress to use their votes and influence in behalf of such bills as will prohibit the fictitious trading on stock exchanges.

By unanimous consent Senator Slater was added to the Agricultural Committee.

Mr. Conley was granted leave of absence on important business.

On motion the Senate adjourned until tomorrow morning at 10 o'clock.

## SENATE CHAMBER, ATLANTA, GA.

TUESDAY, JULY 13th, 1909.

The Senate met pursuant to adjournment at 10 o'clock, was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Akin	Johnson	McClure
Bowen	Jackson	Patterson
Burwell	Kemp	Price
Blackwell	King	Perry
Callaway of 10th	Longley	Pitts
Callaway of 29th	Mays	Rutherford
Calhoun	Murray	Rudicil
Cates	Morris	Slater
Day	Mathews	Sellers
Gordy	McLean	Stevens
Griffith	McDowell	Ward of 5th
Harrell	McCurry	Womble
Harben	McWilliams	Wood
Irwin	McCollum	Mr. President

Those absent were Messrs.:

Conley	Ward of 7th
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The Journal of yesterday was read and approved.

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House has adopted the following Resolutions, to-wit:

A Resolution to invite Mr J N. MacCarmack, of Kentucky, to address the Legislature on the subject of pure food, drugs, sanitation, etc.

A Resolution authorizing the Governor to borrow money to supply casual deficiencies.

*Also*, the House has passed by the requisite Constitutional majority the following bills of the House, to-wit:

A bill to change the time of holding the Superior Courts of Greene county and for other purposes.

A bill to create a River and Canal Commission for the protection of the City of Augusta, to define its powers, duties and authority, etc., and for other purposes.

A bill to authorize the City Council of Augusta to acquire by condemnation and other proceedings fee simple title to property in Augusta and Richmond County for laying water pipes, etc., and for other purposes.

A bill to provide for the appointment of a judge of the city court of St. Mary's; to prescribe the qualifications, etc., and for other purposes.

A bill to fix the salaries of the Judges of the Court of Appeals, and for other purposes.

A bill to abolish the Board of County Commissioners of Putnam county, Georgia.

A bill to change the terms of holding the Superior Court of Wilkes county, and for other purposes.

A bill to amend an Act approved August 21st, 1906, entitled "An Act to create a City Court in and for the county of Calhoun, to define its powers, jurisdiction, procedure and practice, to provide for a judge, and for other purposes.

Mr. Womble, Chairman of the Committee on Special Judiciary, submitted the following report:

*Mr President:*

The Special Judiciary Committee has had under consideration the following Senate Bill No. 6, which I am instructed to report back with the recommendation that the same do pass by substitute.

A bill to prohibit the issuing or giving away in connection with the sale of any article of goods, ware or merchandise of certain stamps to be redeemed in something, commonly called trading stamps.

The Committee has also had under consideration the following Senate Bill No. 44, which it instructs me to report back with the recommendation that the same do pass, to-wit:

A bill to authorize the county of Glynn to issue bonds in the sum not to exceed the sum of one hundred thousand dollars for the construction and improvement of public roads and bridges for said county

Respectfully submitted,

M. D. WOMBLE, Chairman.

Mr. McLean, Chairman of the Committee on State Sanitarium, submitted the following report:

*Mr. President:*

The Committee on State Sanitarium has had under consideration the following bill of the Senate, which they instruct me to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to amend Section 2573 of the Code in reference to trials for lunacy before the ordinaries in the various counties of this State.

Respectfully submitted,

J. L. McLEAN, Chairman.

Mr. Patterson, Chairman of the Committee on Engrossing, submitted the following report:

*Mr. President:*

The Committee on Engrossing have examined, found properly engrossed and ready for transmission to the House the following Senate bill, to-wit:

A bill to amend an Act creating the City Court of Sparta, in and for Hancock county

Respectfully submitted,

L. F. PATTERSON, Chairman.

Mr. Callaway, of 29th District, Chairman of Committee on Counties and County Matters, submitted the following report:

*Mr. President:*

The Committee on Counties and County Matters has had under consideration the following Senate bill, which I am instructed to report back to the Senate with the recommendation that the same do pass, as amended, to-wit:

A bill to amend the Road Laws, approved Octo-

ber 21st, 1891, and the several amendatory Acts thereto.

Respectfully submitted,

R. D. CALLAWAY, Chairman.

Mr. McCurry, Chairman of the Committee on Military Affairs, submitted the following report:

*Mr President:*

The Committee on Military Affairs has had under consideration the following Senate bill, which I am instructed to report back to the Senate with the recommendation that the same do pass, as amended, to-wit:

A bill to amend an Act to conform the organization and discipline of the organized militia of this State.

Respectfully submitted,

JULIAN B. MCCURRY, Chairman.

Mr. Griffith, acting Chairman of the General Judiciary Committee, submits the following report:

*Mr President:*

The General Judiciary Committee has had under consideration the following bills of the Senate, which



it instructs me to report back to the Senate with the recommendation that the same do pass.

A bill to make penal the willfully and falsely uttering or circulating any defamatory words about any virtuous unmarried females.

A bill to provide for supersedeas of judgments in certain cases.

A bill to give Judges of the Criminal Courts of this State power to suspend sentences in certain cases.

A bill to amend Section 342 of the Code.

The Committee also recommends the following bill be withdrawn by its author.

A bill to abolish the office of county treasurer of the county of Decatur

The Committee also recommends that the following bills do not pass :

A bill to amend Section 1030 of the Code.

A bill to enable planters to mortgage their crops before same are planted.

A bill to authorize and provide for the filing and

hearing and determining motions for new trials in vacation and for other purposes.

Respectfully submitted,

E. S. GRIFFITH, Acting Chairman.

The following House bills were read first time.

By Mr. Godley—

A bill to provide for the appointment of a Judge of the City Court of St. Marys.

Referred to the Counties and County Matters Committee.

By Messrs. Littleton, Garlington and Pierce—

A bill to authorize the City Council of Augusta to acquire by condemnation and other proceedings fee simple to property in Augusta and Richmond County for the purpose of laying water pipes, and for other purposes.

Referred to the Special Judiciary Committee

By Messrs. Littleton, Garlington and Pierce—

A bill to create a river and canal commission for the city of Augusta.

Referred to the Special Judiciary Committee.

By Messrs. Vinson, Anderson, Pearsons, and Barksdale—

A bill to fix the salaries of the Judges of the Courts of Appeals.

Referred to the General Judiciary Committee.

By Mr. McWhorter—

A bill to change the time of holding the Superior Court of Green county

Referred to the Special Judiciary Committee.

By Mr. Miller—

A bill to amend the Act creating the city court in and for the county of Calhoun, approved August 21, 1906.

Referred to the Counties and County Matters Committee.

By Messrs. Barksdale and Booker—

A bill to change the time for holding the Superior Court of Wilkes county

Referred to the Counties and County Matters Committee.

By Mr. Reid—

A bill to abolish the Board of County Commissioners of Putnam county

Referred to Committee on Counties and County Matters.

By Mr. Stovall—

A Resolution to invite J. N. McCormack, of Kentucky, to address the Legislature on pure food.

This Resolution was tabled.

By Mr. Reid—

A Resolution to authorize the Governor to borrow money to supply casual deficiency

Referred to the Finance Committee.

The following Senate bills and resolutions were read third time to be put upon their passage.

By Mr. McCurry—

A bill to provide for the election of County School Commissioners by the people.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes and nays were ordered, and the vote is as follows:

Those voting in the affirmative were Messrs:

Akin	Kemp	Patterson
Bowen	King	Perry
Blackwell	Longley	Pitts
Callaway of 10th	Mays	Rutherford
Callaway of 29th	Murray	Rudieil
Cates	McLean	Sellers
Griffith	McDowell	Stevens
Harrell	McCurry	Womble
Harben	McWilliams	Wood
Irwin	McCollum	
Jackson	McClure	

Those voting in the negative were Messrs:

Day

Those not voting were Messrs:

Burwell	Johnson	Slater
Calhoun	Morris	Ward of 5th
Conley	Mathews	Ward of 7th
Gordy	Price	Mr. President

Ayes, 31. Nays, 1.

The bill having received the requisite Constitutional majority, was passed by substitute.

By Mr. Callaway—

A Resolution to dispose of the cotton tax if re-

funded by the United State Government to the Confederate soldiers.

This resolution was adopted.

By Mr. McCurry—

A Resolution requesting Congressmen from Georgia to vote to raise the salary of Rural Free Delivery Carriers.

The Resolution was adopted.

Mr. Harrell asked to take up Senate Bill No. 21 to disagree to the report of the Committee which is adverse to the passage of the bill, the following is the bill:

By Mr. Harrell—

A bill to authorize farmers to give mortgages on their crops before same is planted.

Upon the motion to agree to the report of the Committee the ayes and nays were ordered, and the vote is as follows:

Those voting in the affirmative were Messrs:

Akin	Day	Kemp
Blackwell	Griffith	Longley
Callaway of 10th	Harben	Mays
Callaway of 29th	Irwin	Murray
Cates	Jackson	McLean

McWilliams	Price	Stevens
McCollum	Perry	Womble
McClure	Rutherford	Wood
Patterson	Slater	

Those voting in the negative were Messrs:

Bowen	McCurry	Sellers
Harrell	Pitts	
King	Rudicil	

Those not voting were Messrs:

Burwell	Johnson	Ward of 5th,
Calhoun	Morris	Ward of 7th
Conley	Mathews	Mr. President
Gordy	McDowell	

Ayes, 26. Nays, 7

The report of the Committee was agreed to and the bill was lost.

The following Senate bills were read first time:

By Mr. Harrell—

A bill to provide for a Board of Equalizers of taxes in this State.

Referred to the General Judiciary Committee.

By Mr. McCurry—

A bill to prescribe the manner in which legal exe-

cutions shall be had in this State, and for other purposes.

Referred to the General Judiciary Committee.

By Mr. Patterson—

A bill to make it a misdemeanor to fail or refuse to make a return to the receiver of tax returns in the several counties of this State.

Referred to the General Judiciary Committee.

By Mr. Irwin—

A bill to incorporate the city of Dawson and grant a new charter.

Referred to the Corporations Committee.

By Mr. McCurry—

A Resolution to provide that service in other States of enlisted men shall count as to the time to be served before retirement.

Referred to the Military Committee.

The following Senate bills were read second time:



By Mr. McCurry—

A bill to make it penal to willfully and falsely uttering any defamatory words derogatory to the fair name of virtuous unmarried women in this State.

By Mr. Harrell—

A bill to provide for supersedeas of judgment in certain cases.

By Mr. Pitts—

A bill to amend the road laws of this State.

By Mr. Akin—

A bill to authorize the county of Glynn to issue bonds in the sum not to exceed \$100,000 for the improvement of public roads and bridges.

By Mr. Morris—

A bill to prohibit the issuing or giving of trading stamps in this State.

By Mr. Day—

A bill to give the Judges of the Criminal Courts of this State the right to suspend sentences in certain cases.

By Mr. Griffith—

A bill to amend Section 2573 of the Code.

By Mr. Griffith—

A bill to amend Section 342 of the Code relative to carrying concealed weapons.

By Mr. McCurry—

A bill to amend the Act to conform to organization and discipline of the organized militia of this State.

Senators Ward of 7th, and Conley were granted leave of absence.

On motion the Senate adjourned.

SENATE CHAMBER, ATLANTA, GA.

WEDNESDAY, JULY 14th, 1909.

The Senate met pursuant to adjournment at 10 o'clock, was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members were present:

Akin	Johnson	Patterson
Bowen	Jackson	Price
Burwell	Kemp	Perry
Blackwell	King	Pitts
Callaway of 10th	Longley	Rutherford
Callaway of 29th	Mays	Rudicil
Calhoun	Murray	Slater
Cates	Morris	Sellers
Conley	Mathews	Stevens
Day	McLean	Ward of 5th
Gordy	McDowell	Womble
Griffith	McCurry	Wood
Harrell	McWilliams	Mr. President
Harben	McCollum	
Irwin	McClure	

Those absent were Messrs.:

Ward of 7th

The Journal of yesterday was read and approved.

The following message was received from the

House through Mr Boifeuillet, the Clerk thereof:

*Mr President:*

The House has adopted the following Resolution of the Senate, to-wit:

A Resolution relative to the Consular service of the United States.

Also,

The House has adopted the following Resolution of the House, to-wit:

A resolution to authorize the Treasurer of this State to sign his name to certain bonds issued by the State.

Also,

The House has passed by the requisite Constitutional majority, the following bills of the House, to-wit:

A bill to amend the Act establishing the City Court of Dublin, in and for the county of Laurens, and for other purposes.

A bill to amend the Act establishing the City Court of Moultrie, and for other purposes.

A bill to amend an Act approved August 3, 1872, and an Act approved February 14, 1873, with refer-

ence to the Board of Commissioners of Webster county, and for other purposes.

A bill to authorize the Mayor and Aldermen of the town of Calhoun, in Gordon county, to construct and maintain a street crossing over the Western & Atlantic Railroad, and for other purposes.

A bill to repeal an Act entitled "An Act to provide for the change of county lines lying within the limits of incorporated towns and cities," and for other purposes.

A bill to require the county tax collectors to keep a record in the form of a cash book, in which they shall record all items of cash collected and paid out, and for other purposes.

A bill to provide compensation for the Commissioners of Roads and Revenues of Gordon county for services rendered on other than regular monthly court days, and for other purposes.

A bill to create the office of Roads and Revenues for Putnam county, to provide the duties, etc., and for other purposes.

A bill to repeal the Act establishing the City Court of Dalton, and to abolish the City Court of Dalton, to provide for the disposition of all books, papers, etc., and for other purposes.

Mr. Patterson, Chairman of the Committee on Engrossing, submitted the following report:

*Mr President:*

The Committee on Engrossing have examined and found properly engrossed and ready for transmission to the House of Representatives, the following bill of the Senate, to-wit:

A bill to provide for the election of County School Commissioners by a vote of the people.

The Committee have also examined and found properly engrossed and ready for transmission to the House, the following Senate Resolutions, to-wit:

A Resolution to memorialize Congress to raise the salaries of Rural Free Delivery Carriers.

Also,

A resolution in reference to the disposition of the cotton tax.

Respectfully submitted,

L. F. PATTERSON, Chairman.

Mr. Callaway, of 29th District, Chairman of Committee on Counties and County Matters, submitted the following report:

*Mr President:*

The Committee on Counties and County Matters has had under consideration the following House bill, which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to amend an Act to create a City Court in and for the County of Calhoun.

Respectfully submitted,

R. D. CALLAWAY, Chairman.

Mr. Slater, Chairman of the Committee on Finance, submitted the following report:

*Mr President:*

The Committee on Finance has had under consideration the following House Resolution which I am instructed to report back to the House with the recommendation that the same do pass, to-wit:

A Resolution to authorize the Governor to borrow money to supply casual deficiencies in the revenues.

Respectfully submitted,

W F SLATER, Chairman.

Mr. McWilliams, Chairman of the Committee on Education, submitted the following report:

*Mr President:*

The Committee on Education has had under consideration the following bill of the Senate, and I am instructed to report the same back to the Senate with the recommendation that it do pass as amended, to-wit:

A bill, to require the elementary principles of vocal music to be taught in the public schools.

Respectfully submitted,

S. C. McWILLIAMS, Chairman.

Mr. Perry, Chairman of the Committee on Constitutional Amendments, submitted the following report:

*Mr President:*

The Committee on Constitutional Amendments has had under consideration the following Senate bill, which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to amend Paragraph 3 of Section 4 of Arti-



cle 3 of the Constitution so as to provide for biennial sessions of the General Assembly

The Committee has had under consideration the following Senate bill, which I am instructed to report back to the Senate with the recommendation that the same do pass, as amended, to-wit:

A bill to amend the Constitution so as to authorize the General Assembly to exempt agricultural products from taxation.

The Committee has also had under consideration the following Senate bill, which I am instructed to report back to the Senate, with the recommendation that the same do pass, by substitute, to-wit:

A bill to amend Paragraph 1 of Section 7 of Article 7 of the Constitution of this State, so as to allow municipal corporations, in certain cases, to increase their indebtedness beyond the amount now allowed under said Paragraph.

Respectfully submitted,

H. H. PERRY, Chairman.

The following Resolution of the Senate was taken up with House amendments and the amendment was concurred in.

By Mr. Longley—

A Resolution relative to the Consular service of the United States.

The following Senate bills were read first time:

By Mr. Price—

A bill to amend Paragraph 1 Section 2 of Article 2 of the Constitution, so as to abolish the office of County Treasurer.

Referred to the Constitutional Amendments Committee.

By Mr. Harrell—

A bill to amend Section 377 of the Code, which defines the crime of bigamy

The following House bills and Resolutions were read first time:

By Mr. Walters—

A bill to amend the Act establishing the City Court of Moultrie.

Referred to the Special Judiciary Committee.

By Mr. Calbeck— .

A bill to authorize the Mayor and Council of Calhoun to erect a crossing over the W & A. R. R. and maintain same.

Referred to the Counties and County Matters Committee.

By Mr. Calbeck—

A bill to provide for compensation for the Commissioners of Roads and Revenues for Gordon county

Referred to the Counties and County Matters Committee.

By Mr. Burch—

A bill to amend the Act establishing the City Court of Dublin.

Referred to the Special Judiciary Committee.

By Mr. Reid—

A bill to create the office of Commissioner of Roads and Revenues for Putnam county

Referred to the Counties and County Matters Committee.

By Mr. Kidd—

A bill to require the county tax collectors of this State to keep cash book, and for other purposes.

Referred to the Counties and County Matters Committee.

By Mr. Fields—

A bill to repeal an Act to provide for the change of county lines lying within the limits of incorporated towns.

Referred to the General Judiciary Committee.

By Mr. Tarver—

A bill to repeal the Act establishing the City Court of Dalton.

Referred to the Counties and County Matters Committee.

By Mr. Tracey—

A bill to amend the Acts establishing the Board of County Commissioners of Webster county

Referred to the Counties and County Matters Committee.

By Mr. Reid—

A Resolution to authorize the Treasurer of this State to sign his name to certain bonds issued by the State.

Referred to the Finance Committee.

The following Senate bills were read third time and put upon their passage:

By Mr. Morris—

A bill to prohibit the issuing or giving of trading stamps in this State.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 3, the bill having received the requisite Constitutional majority, was passed by substitute.

By Mr. McCurry—

A bill to make penal the willfully and falsely uttering or circulating any defamatory words or statements derogatory to the fair name of any virtuous unmarried woman in this State.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes and nays were ordered, and the vote is as follows:

Those voting in the affirmative were Messrs:

Bowen	Kemp	McCollum
Blackwell	King	Patterson
Callaway of 10th	Longley	Price
Callaway of 29th	Mays	Perry
Cates	Murray	Pitts
Day	Morris	Rutherford
Harrell	McLean	Rudicil
Harben	McDowell	Slater
Johnson	McCurry	Sellers
Jackson	McWilliams	Wood

Those voting in the negative were Messrs:

Griffith	Irwin	Womble
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Those not voting were Messrs:

Akin	Gordy	Ward of 5th
Burwell	Mathews	Ward of 7th
Calhoun	McClure	Mr. President
Conley	Stevens	

Ayes, 30. Nays, 3.

The bill having received the requisite Constitutional majority, was passed as amended and the amendments are as follows:

Amend by adding to Section 1. Provided, That this Act shall not apply to privileged communications as defined by Section 3840 of the Civil Code.

Also amend Section 1. Provided, That prosecution can only be instituted by grand juries by bill of indictment.

Amend by striking "unmarried" in fourth line. Also by inserting the word virtue between the word "reputation" and "of."

By Mr. Harrell—

A bill to provide for supersedeas of judgments of conviction in certain courts.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0, the bill having received the requisite Constitutional majority was passed.

By Mr. Akin—

A bill to authorize the county of Glynn to issue bonds in the sum not exceeding one hundred thousand dollars for the improvements of roads and bridges.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0, the bill having received the requisite Constitutional majority was passed.

By Mr. Day—

A bill to give to Judges of the Criminal Courts power to suspend sentence in misdemeanor cases.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 1, the bill having received the requisite Constitutional majority was passed as amended and the amendments are as follows:

Amend by adding after the words "after conviction" the following proviso. Provided, the jury trying said cause shall in their verdict recommend the defendant to the mercy of the Court, or that sentence in said cause be suspended.

By Mr. Griffith—

A bill to amend Section 2573 of the Code relative to service in cases of trial for lunacy.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0, the bill having received the requisite Constitutional majority was passed as amended and the amendments are as follows:

Amend Section 1 by inserting after 1895 in third line the words: Which provides the method of hav-



ing a guardian appointed for a person non compos mentis and having a person committed to the lunatic asylum.

By Mr Griffith—

A bill to amend Section 342 of the Penal Code which provides for carrying concealed weapons.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0, the bill having received the requisite Constitutional majority was passed as amended.

Amend by adding after the 342 the words “which provides for punishment for carrying deadly weapons, bowie knives, pistols, etc., to public gatherings or places of worship.

The following Senate bill was read first time:

By Mr. Murray—

A bill to amend Article 1, Section 1, Paragraph 8 of the Constitution relative to merits of criminal cases.

Referred to the Constitutional Amendments Committee.

On motion Senate adjourned until tomorrow morning at 10 o'clock.

## SENATE CHAMBER, ATLANTA, GA.

THURSDAY, JULY 15th, 1909.

The Senate met pursuant to adjournment at 10 o'clock, was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Akin	Johnson	McClure
Bowen	Jackson	Patterson
Burwell	Kemp	Price
Blackwell	King	Perry
Callaway of 10th	Longley	Pitts
Callaway of 29th	Mays	Rutherford
Calhoun	Murray	Rudieil
Cates	Morris	Slater
Day	Mathews	Sellers
Gordy	McLean	Stevens
Griffith	McDowell	Ward of 5th
Harrell	McCurry	Womble
Harben	McWilliams	Wood
Irwin	McCollum	Mr. President

Those absent were Messrs.:

Conley	Ward of 7th
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The Journal of yesterday was read and approved.

Mr. McCurry, Chairman of the Committee on Military Affairs, submitted the following report:

*Mr. President:*

The Committee on Military Affairs has had under consideration the following Senate Resolution, which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A Resolution providing that officers and enlisted men of the National Guard are permitted to count service performed in the National Guard in other States towards retirement in this State.

Respectfully submitted,

J. B. McCURRY, Chairman.

Mr. Callaway, of 29th District, Chairman of the Committee on Counties and County Matters, submitted the following report:

*Mr. President:*

The Committee on Counties and County Matters has had under consideration the following House bills, which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to authorize the Mayor and Council of Calhoun to construct and maintain a street crossing over the W & A. Railroad.

A bill to provide compensation for the Commissioners of Roads and Revenues of Gordon county in certain cases.

A bill to repeal an Act to establish the City Court of Dalton.

Respectfully submitted,

R. D. CALLAWAY, Chairman.

Mr. Irwin, Chairman of the Committee on Corporations, submitted the following report:

*Mr. President:*

The Committee on Corporations has had under consideration the following Senate Bill, which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to incorporate the City of Dawson.

Respectfully submitted,

JNO. R. IRWIN, Chairman.

Mr. J. D. Price, Chairman of the Committee on Agriculture, submits the following report:

*Mr President:*

The Committee on Agriculture has had under consideration the following bill of the Senate, and I am instructed to report the same back to the Senate with the recommendation that it do pass as amended, to-wit:

A bill to be entitled an Act to protect the game birds and animals, to provide Game Commissioner and Wardens, and for other purposes.

Respectfully submitted,

J. D. PRICE, Chairman.

Mr. Slater, Chairman of the Committee on Finance, submitted the following report:

*Mr President:*

The Committee on Finance have had under consideration the following House Resolution, which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A Resolution to authorize the Treasurer to sign certain State bonds.

The Committee has also had under consideration the following Senate Resolution, which I am in-

structed to report back with the recommendation that the same do pass, as amended, to-wit:

A Resolution providing for a joint committee on tax returns and valuations.

Respectfully submitted,

W F SLATER, Chairman.

Mr. Mathews, Chairman of the General Judiciary Committee, submits the following report:

*Mr. President:*

The General Judiciary Committee has had under consideration the following bills of the Senate, which they instruct me to report back with the recommendation that the same do pass as amended.

A bill to increase the salaries of the Justices of the Supreme Court.

A bill to amend Section 4467 of the Code.

The Committee also recommends that the following House bill do pass.

A bill to rearrange the Ocmulgee and Northern Judicial Circuits.

Committee also recommends that the following bill of the House do pass as amended:

A bill to fix the salaries of the Judges of the Court of Appeals.

The Committee also recommends that the following bills of the Senate do not pass.

A bill to alter and fix the commission of the County Treasurers of this State.

A bill to amend Section 4118 of the Code.

A bill to prescribe the manner in which legal executions shall be held.

A bill to amend Section 377 of the Code.

Respectfully submitted,

H. A. MATHEWS, Chairman.

Mr Patterson, Chairman of the Committee on Engrossing, submitted the following report:

*Mr President:*

The Committee on Engrossing have examined and found correctly engrossed and ready for transmission to the House of Representatives the following Senate bills, to-wit:

A bill to prohibit the issuing or giving away in connection with the sale of any article of goods, etc., of certain stamps commonly called trading stamps.

A bill to make penal the willfully and falsely uttering any defamatory statements derogatory to the reputation of any virtuous unmarried female.

A bill to provide for supersedeas of judgments of conviction in county and other courts.

A bill to authorize Glynn county to issue bonds.

A bill to give judges of criminal courts power and authority to suspend sentences in certain cases.

A bill to amend Section 2573 of the Code.

A bill to amend Section 342 of the Penal Code.

Respectfully submitted,

L. F. PATTERSON, Chairman.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House has adopted the following resolution of the House, to-wit:

A resolution calling for a joint Committee to investigate the matter of fish and oyster culture in the waters of this State.



Also, the House has passed by the requisite Constitutional majority the following bills of the House, to-wit:

A bill to authorize the town of Palmetto in the counties of Campbell and Coweta to establish and maintain a system of public schools, and for other purposes.

A bill to repeal an Act entitled “an Act to incorporate the Woodbury School District,” and for other purposes.

A bill to amend an Act entitled “an Act to provide for the creation and operation of local tax district schools.”

A bill to amend the Charter of the town of Fairburn, in Campbell county, so as to take said town out of Fairburn School District, and for other purposes.

Senator Calhoun was granted leave of absence for tomorrow.

The following Senate bills were read second time.

By Mr. Callaway, of 29th district—

A bill to protect game animals and game birds in this State.

By Messrs. Perry and McDowell—

A bill to increase the salaries of the Justice of the Supreme Court.

By Mr. Morris—

A bill to amend the Constitution so as to authorize municipalities to increase their bonded debt.

By Mr. Slater—

A bill to amend Section 4467 of the Code of 1895.

By Mr. Sellers—

A bill to amend the Constitution so as to authorize the General Assembly to exempt farm products from taxation.

By Mr. Irwin—

A bill to incorporate the City of Dawson and to grant a new Charter for same.

By Mr. Griffith—

A bill to require the teaching of the elementary principals in vocal music in the public schools of this State.

By Mr. McCurry—

A resolution providing that service in other States in the National Guards be permitted to count toward retirement in this State.

The following House bills and resolutions were read second time :

By Mr. Calbeck—

A bill to authorize the mayor and council of the town of Calhoun to construct and maintain a crossing over the W & A. R. R.

By Messrs. Vinson, Anderson, Persons and Barksdale—

A bill to fix the salaries of the Judges of the Court of Appeals.

By Mr. Reid—

A resolution to authorize the Treasurer of this State to sign his name to certain bonds issued by the State.

By Mr. Reid—

A resolution to authorize the Governor to borrow money to supply casual deficiency

By Mr. Lewis—

A bill to rearrange the Ocmulgee and Northern Judicial Circuits.

By Mr. Miller—

A bill to amend an Act creating the City Court in and for the county of Calhoun.

By Mr. Calbeck—

A bill to provide compensation for Commissioners of Roads and Revenues for Gordon county

By Mr. Tarver—

A bill to repeal the Act establishing the City Court of Dalton.

The following House bills were read first time.

By Mr. Reid—

A bill to authorize the town of Palmetto to establish a system of Public Schools.

Referred to Committee on Corporations.

By Mr. Reid—

A bill to amend the Charter of the town of Fairburn in Campbell county

Referred to Committee on Corporations.

By Messrs. Jones and Keith—

A bill to repeal an Act incorporating the Woodbury School District.

Referred to Committee on Corporations.

By Mr. Reese—

A resolution to provide for a joint Committee to investigate matters relating to fish and oyster culture in this State.

This resolution laid on table for one day.

By Messrs. Tippins and MacIntyre—

A bill to amend the Act to provide for the creation and operation of local tax school districts.

Referred to Committee on Education.

The following Senate bill was read second time.

By Mr. Slater—

A bill to amend the Constitution so as to provide for biennial sessions of the General Assembly

The following Senate bills were read first time:

By Mr. Perry—

A bill to provide a writ of error from certain interlocutory orders.

Referred to Committee on General Judiciary

By Mr. Johnson—

A bill to repeal Paragraph 6, Section 4, Article 3 of the Constitution.

Referred to Committee on Constitutional Amendments.

By Mr. Perry—

A bill to fix the salaries of county officers in this State.

Referred to Committee on General Judiciary

On motion the Senate adjourned until tomorrow morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GEORGIA,

FRIDAY, JULY 16th, 1909.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Akin	Johnson	Patterson
Bowen	Jackson	Price
Burwell	Kemp	Perry
Blackwell	King	Pitts
Callaway of 10th	Longley	Rutherford
Callaway of 29th	Mays	Rudicil
Calhoun	Murray	Slater
Cates	Morris	Sellers
Conley	Mathews	Stevens
Day	McLean	Ward of 5th
Gordy	McDowell	Womble
Griffith	McCurry	Wood
Harrell	McWilliams	Mr. President
Harben	McCollum	
Irwin	McClure	

Those absent were Messrs.:

Ward of 7th

The Journal of yesterday was read and approved.

Mr. Womble, Chairman of the Special Judiciary Committee, submitted the following report:

*Mr. President:*

The Special Judiciary Committee has had under consideration Senate Bill No. 69 which it instructs me to report back with the recommendation that the same do pass, to-wit:

A bill to make uniform the fees of Ordinaries for issuing marriage licenses.

The Committee has also had under consideration the following House bills which it instructed me to report back with the recommendation that the same do pass, to-wit:

A bill No. 87 to amend the Act establishing the Court of Moultrie.

A bill No. 183 to be entitled an Act to amend an Act entitled an Act to establish the City Court of Dublin.

A bill (No. 220) to authorize the City Council of Augusta to acquire by condemnation and other proceedings fee simple title to property in Augusta and Richmond county

A bill (No. 287) an Act to create a river and canal commission for the protection of the City of Augusta and to define its powers, duties and authorities.

Respectfully submitted,

M. D. WOMBLE, Chairman.



Mr. Morris, Chairman of the Committee on Banks, submitted the following report:

*Mr President:*

The Committee on Banks has had under consideration the following Senate bill which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to amend Section 982 of the Code of 1895 so as to add the town of Colquitt to list of State depositories.

The Committee has had under consideration the following Senate Bill which I am instructed to report back to the Senate with the recommendation that the same do pass as amended, to-wit:

A bill to amend an Act to create in the Treasury Department of the State a Bank Bureau.

Respectfully submitted,

W S. MORRIS, Chairman.

Mr. McCollum, Chairman of the Committee on Public Property, submits the following report:

*Mr President:*

The Committee on Public Property has had under

consideration the following bill of the Senate which it instructs me to report back to the Senate with the recommendation that the same do pass as amended.

A bill to repeal all laws now of force in this State authorizing the issue of grants to land under head rights, and for other purposes.

Respectfully submitted,

J. R. McCULLUM, Chairman.

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

Pursuant to House Resolution No. 53 the Speaker has appointed the following Committee from the House "to investigate matters relating to the culture of fish and oysters within the waters of this State:"

Messrs. Reese,

Meadows, of Toombs,

Lawrence,

Pierce, and

McCrory

The following Senate bills were read first time:

By Mr. Rutherford—

A bill to authorize railroad companies in this State to condemn property for certain purposes.

Referred to the Committee on Railroads.

By Mr. King—

A bill to provide a new Charter for the City of Rochelle.

Referred to Committee on Corporations.

By Mr. Ward, of 5th district—

A bill to require all claims for wild land sold under wild land fi fas issued by the tax collector, to bring suit to recover same within 18 months.

Referred to Committee on General Judiciary

The following Senators were appointed on the Committee to investigate the fish and oyster culture:

Senators Akin, Slater and Patterson.

Mr. R. D. Callaway, Chairman of the Committee on Counties and County Matters, submitted the following report:

*Mr. President:*

The Committee on Counties and County Matters has had under consideration the following bills of the Senate and I am instructed to report the same back to the Senate with the recommendation that they do pass, to-wit:

House Bill No. 14. A bill to be entitled an Act to require the county tax collector to keep a record in the form of a cash book.

House Bill No. 165. A bill to be entitled an Act to change the time of holding the Superior Court of Greene county.

House Bill No. 309. A bill to be entitled an Act to amend an Act approved August 3d, 1872, and an Act approved February 14th, 1873.

Respectfully submitted,

R. D. CALLAWAY, Chairman.

Mr. Mathews, Chairman of the General Judiciary Committee, submits the following report:

*Mr. President:*

The General Judiciary Committee has had under consideration the following bill of the Senate which

it instructs me to report back with the recommendation that the same do pass as amended.

A bill to amend the Act approved December 7th, 1897, authorizing corporations or individuals owning or controlling any water power in this State for certain purposes.

Respectfully submitted,

H. A. MATHEWS, Chairman.

Mr. Conley, Chairman of the Committee on Enrollment, submitted the following report:

*Mr President:*

The Committee on Enrollment report as duly signed by the President of the Senate and Speaker of the House of Representatives and delivered to the Governor the following resolution, to-wit:

A resolution relative to the Consular Service of the United States.\*

Respectfully submitted,

F. E. CONLEY, Chairman.

Mr. Conley, Chairman of the Committee on Enrollment, submitted the following report:

*Mr President:*

The Committee on Enrollment report as duly enrolled and ready for the signature of the President of the Senate and Speaker of the House of Representatives the following resolution, to-wit:

A resolution relative to the Consular Service of the United States.

Respectfully submitted,

F. E. CONLEY, Chairman.

The following bills and resolutions were read third time to be put upon their passage.

By Mr. Reid—

A resolution to authorize the Governor to borrow money to supply casual deficiency

Report of the Committee was agreed to.

Upon the passage of the Resolution the ayes were 26, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Stovall—

A resolution to invite J. N. McCarmack to address the General Assembly on pure food.

This resolution was adopted.

By Mr. Reid—

A resolution to authorize the Treasurer of this State to sign certain bonds of the State of Georgia.

Report of the Committee agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Miller—

A bill to amend the Acts creating the City Court of Calhoun.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Tarver—

A bill to repeal an Act entitled an Act establishing the City Court of Dalton.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Calbeck—

A bill to provide compensation for the Commissioners of Roads and Revenues for Gordon county

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Lewis—

A bill to rearrange the Ocmulgee and Northern Judicial Circuits in this State

Report of the Committee was agreed to.



Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite Constitutional majority was passed.

The following Senate bills were read third time, to be put upon their passage.

By Mr. Irwin—

A bill to incorporate the City of Dawson and to grant a new Charter for said City

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Mathews—

A resolution to appoint a Committee from the Senate and House to investigate the tax returns of this State.

Upon the passage of the resolution the ayes and nays were ordered and the vote is as follows:

Those voting in the affirmative were Messrs:

Akin	Irwin	McDowell
Bowen	Johnson	McCollum
Blackwell	Jackson	Patterson
Callaway of 10th	Kemp	Price
Callaway of 29th	King	Pitts
Cates	Longley	Slater
Conley	Mays	Sellers
Day	Murray	Stevens
Gordy	Morris	Ward of 5th
Griffith	Mathews	Womble
Harben	McLean	Wood

Those voting in the negative were Messrs:

Harrell	McClure	Rutherford
McCurry	Perry	Rudieil

Those not voting were Messrs:

Burwell	McWilliams	Mr. President
Calhoun	Ward of 7th	

Ayes, 33; nays, 6.

The resolution having received the requisite Constitutional majority was passed as amended and the amendments are amended by striking out paragraphs 2 and 3 and adding the following as Section 2:

2d. That any bill or measure proposed either in the Senate or House having general purpose in view may be referred to the Joint Committee on tax returns and valuations above provided for and that any such bill or measure so referred shall be caused by said Committee and reported upon to the branch

of the General Assembly in which it originates. Amend by striking out of the 2d line of paragraph 1 the figure 7 and inserting in lieu thereof the figure 5.

By Mr. McCurry—

A resolution to provide that services of members of the National Guard performed in other States shall count toward retirement in this State.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite Constitutional majority was passed and ordered immediately transmitted to the House.

By Mr. Sellers—

A bill to amend the Constitution so as to authorize the General Assembly to exempt from taxation agricultural products.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes and nays were ordered and the vote is as follows:

Those voting in the affirmative were Messrs:

Akin	Jackson	Pitts
Bowen	Kemp	Rutherford
Blackwell	King	Rudicil
Callaway of 10th	Longley	Slater
Callaway of 29th	Mays	Sellers
Cates	McLean	Stevens
Gordy	McCurry	Ward of 5th
Griffith	McCollum	Womble
Harben	Patterson	Wood
Johnson	Price	

Those voting in the negative were Messrs:

Burwell	Irwin	McWilliams
Conley	Murray	McClure
Day	Morris	Perry
Harrell	Mathews	

Those not voting were Messrs:

Calhoun	Ward of 7th	Mr. President
McDowell		

Ayes, 29; nays, 11.

The bill was lost.

The following Senate bill was read first time.

By Mr. Perry—

A bill to declare void contracts to buy or sell agricultural products not already grown.

Referred to Committee on General Judiciary

Senators Pitts and Harbin were granted leave of absence.

On motion the Senate adjourned until Monday morning at 11 o'clock.

SENATE CHAMBER, ATLANTA, GEORGIA,

MONDAY, JULY 19, 1909.

The Senate met pursuant to adjournment at 11 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

By unanimous consent the roll call was dispensed with.

Mr Jackson gave notice that at the proper time he would move to reconsider the action of the Senate in defeating Senate Bill No. 45 which was lost on Friday

The Journal of Friday was read and approved.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House has passed by the requisite Constitutional majority, the following bills of the House, to-wit:

A bill to create the office of Commissioner of Roads and Revenues in and for Coffee county

A bill to forfeit the license of certain insurance companies doing business in this State upon certain conditions.

A bill to repeal the Act creating the Board of Commissioners of Roads and Revenues for Coffee county, Ga.

A bill to change the time of holding the Superior Courts in Douglas county

A bill to prohibit the issuing or giving away in connection with the sale of any article of goods, wares, or merchandise of certain stamps, etc., commonly called "Trading Stamps."

A bill to incorporate the town of Cadwell in the county of Laurens.

A bill to abolish the County Court of Irwin county

A bill to amend the Act establishing the City Court of Thomasville.

A bill repealing the Act approved August 11th, 1908, establishing a public school system in the City of Wrightsville.

A bill to amend the Act establishing a Charter for the City of Monroe, in Walton county.

A bill to amend the Charter of Williamsville in

Walton county, so as to change the name of said town to Bold Springs.

A bill to amend the Charter of the town of Chipley

A bill to amend the Act establishing a City Court in the county of Hall.

A bill to permit street railroads to grant free transportation to policemen and firemen and others in the cities of this State.

A bill to require all cotton seed meal sold in Georgia to be branded according to grade or quality

A bill to amend the Charter of the town of Fairburn in Campbell county

A bill to amend the Act creating a Board of Commissioners of Roads and Revenues in the county of Hall so as to increase the number of Commissioners, pay them a salary, etc., and for other purposes.

A bill to amend the Act creating a new Charter for the City of Newnan, by extending the corporate limits of said City

A bill to amend the Charter of the town of Logansville in Walton county

A bill to amend the Act incorporating the town of Ty Ty, in the county of Tift.



A bill to amend the Act incorporating the town of Patten in the county of Thomas.

Mr Callaway moved to reconsider the action of the Senate in defeating the following bill of the Senate which was lost last Friday

By Mr Sellers —

A bill to exempt farm products from taxation for one year.

The bill was reconsidered.

By unanimous consent the following Senate bill was recommitted to the General Judiciary Committee.

By Mr. McCurry—

A bill to prescribe the manner in which legal execution shall be held in this State.

Mr. Griffith, acting Chairman of the General Judiciary Committee, submits the following report:

*Mr President:*

The General Judiciary Committee has had under consideration the following bill of the Senate which

it instructs me to report back to the Senate with the recommendation that the same do pass by substitute.

A bill to amend Section 2185 of the Code of 1895.

Respectfully submitted,

E. S. GRIFFITH, Acting Chairman.

Mr Patterson, Chairman of the Committee on Engrossing, submitted the following report:

*Mr President:*

The Committee on Engrossing have examined and found properly engrossed and ready for transmission to the House the following Senate bill, to-wit:

A bill to incorporate the City of Dawson.

The Committee has also examined and found properly engrossed and ready for transmission to the House, the following Senate resolution, to-wit:

A resolution providing for a joint Committee of the Senate and House of Representatives, upon tax returns and valuations.

Also,

A resolution providing that officers and enlisted men of the National Guard of this State are per-

mitted to count service performed in the National Guard in other States towards retirement in this State.

Respectfully submitted,

L. F. PATTERSON, Chairman.

The following Senate bills were read first time.

By Mr. Day—

A bill to change the time of holding the spring term of the Superior Court of Pickens county

Referred to the General Judiciary Committee.

By Mr. Slaton—

A bill to provide that no person shall be entitled to a homestead in personal property which has been purchased and not paid for.

Referred to Committee on General Judiciary

By Mr. Mathews

A bill to amend the Charter of the City of Fort Valley

Referred to the Committee on Corporations.

By Messrs. Irwin and Slater

A bill to prohibit the use of worthless fillers in commercial fertilizers in this State.

Referred to Committee on Agriculture.

By Mr. Mathews—

A bill to prohibit prize fighting in this State.

Referred to Committee on General Judiciary.

The following House bills were read first time.

By Mr. Kirby—

A bill to amend an Act creating a new Charter for the City of Newnan.

Referred to Committee on Corporations.

By Messrs. McMahan, Slade and Wohlwender —

A bill to permit street railways to grant free transportation to policemen and firemen.

Referred to the Committee on Railroads.

By Mr. Hartsfield—

A bill to create a board of Commissioners of Roads and Revenues for Coffee county

Referred to Committee on Counties and County Matters.

By Mr. Johnson—

A bill to forfeit the license of certain insurance companies doing business in this State upon certain conditions.

Referred to Committee on General Judiciary

By Mr. Hartsfield—

A bill to repeal the Act creating the office of Commissioners of Roads and Revenues for Coffee county

Referred to Committee on Counties and County Matters.

By Messrs. Vinson and Garlington—

A bill to prohibit the giving away of trading stamps in this State.

Referred to Committee on Special Judiciary

By Mr. Edwards—

A bill to amend the Act establishing a Charter for the City of Monroe.

Referred to Committee on Corporations.

By Mr. Hendricks—

A bill to amend the act incorporating the town of Ty Ty

Referred to Committee on Corporations.

By Messrs. Adams and Carter—

A bill to amend the Act creating the Board of County Commissioners and for the county of Hall.

Referred to Committee on Counties and County Matters.

By Messrs. Edwards and Smith—

A bill to amend the Charter of the town of Logansville.

Referred to the Committee on Corporations

By Mr. Upshaw—

A bill to change the time of holding the Superior Court of Douglas county

Referred to General Judiciary Committee.

By Messrs. Adams and Carter—

A bill to amend the Act establishing the City Court of Hall county

Referred to Committee on Special Judiciary

By Mr. McMichael—

A bill to require all cotton seed meal sold in Georgia to be branded according to grade or quality.

Referred to Committee on Agriculture.

By Messrs. Edwards and Smith—

A bill to amend the Charter of the town of Williamsville in Walton county

Referred to Committee on Corporations.

By Mr. McIntyre—

A bill to amend the Act incorporating the town of Patten in Thomas county

Referred to Committee on Corporations.

By Mr. Faircloth—

A bill to repeal the act creating a system of public schools in the corporate limits of Wrightsville.

Referred to Committee on Education.

By Mr. Henderson—

A bill to abolish the County Court of Irwin county

Referred to Committee on Special Judiciary

By Mr. MacIntyre—

A bill to amend the Act establishing the City Court of Thomasville.

Referred to Committee on Special Judiciary

By Mr. Ellison—

A bill to amend the Charter of the town of Chiplev

Referred to Committee on Corporations.

By Mr. Reid—

A bill to amend the Charter of the town of Fairburn in Campbell county

Referred to the Committee on Corporations.



By Messrs. Burch and Jones—

A bill to incorporate the town of Cadwell in Laurens county

Referred to Committee on Corporations.

*Mr President:*

The Committee on Railroads has had under consideration the following bills which they recommend do pass by substitute, viz.:

A bill to be entitled an Act to authorize any railroad company operating a railroad in this State to condemn property on conditions and for purposes therein stated.

Also,

A bill to be entitled an Act to require the disinfection of public buildings, railway coaches, sleeping cars and street railroad cars and providing a penalty for the violation thereof, and for other purposes which the Committee recommends do pass by substitute.

F. M. LONGLEY, of 37th, Chairman.

The following Senate bills were read first time.

By Messrs. Price and McCurry—

A bill to require assessment insurance companies

in this State to submit upon the notice of deaths of insured or loss the number of parties composing the division in which death occurred, and for other purposes.

Referred to Committee on Special Judiciary

By Mr. Brown—

A bill making it a misdemeanor to draw a check on a bank when he has no funds in said bank.

Referred to Committee on Banks.

The following Senate bills were read second time.

By Mr. Rutherford—

A bill to amend the Act creating the Treasury Department in this State.

By Mr. Akin—

A bill to repeal all laws in this State authorizing the issue of grants to land under head rights.

By Mr. Patterson—

A bill to amend Section 982 of the Code so as to add Colquitt to the list of State depositors.

By Mr. Irwin—

A bill to amend Section 2185 of the Code.

By Messrs. King and Gordy—

A bill to make uniform the fees of Ordinaries in this State.

The following Senate bills were read second time and recommitted by unanimous consent:

By Mr. Price—

A bill to create the office of State Veterinarian in this State.

By Mr. Price—

A bill to protect live stock of this State against all contagious diseases.

By Mr. Price—

A bill to amend Paragraph 1 of Section 2 of Article II of the Constitution so as to abolish the office of County Treasury

By Mr. Jackson—

A bill to prohibit unfair commercial discrimination between different Sections of this State.

Mr. Harrell moved to disagree to the report of the Committee which is unfavorable to the passage of the following bill:

By Mr. Harrell—

A bill to amend Section 377 of the Penal Code which defines bigamy

Upon the motion to disagree to the report of the Committee, Mr. Harrell called for the ayes and nays and the vote is as follows:

Those voting in the affirmative were Messrs:

Conley	Murray	McClure
Day	McLean	Patterson
Griffith	McCurry	Rudicil
Harrell	McWilliams	Wood
Irwin	McCollum	

Those voting in the negative were Messrs:

Akin	Jackson	Mathews
Bowen	King	Rutherford
Blackwell	Longley	Stevens
Callaway of 10th	Mays	Ward of 5th
Cates	Morris	Womble

Those not voting were Messrs:

Burwell	Johnson	Pitts
Callaway of 29th	Kemp	Slater
Calhoun	McDowell	Sellers
Gordy	Price	Ward of 7th
Harben	Perry	Mr. President

Ayes, 14; Nays, 15.

The motion was lost and the bill was defeated.

The following Senate bill was read first time.

By Mr. King—

A bill to provide for the transfer of registered maps of municipalities in this State.

Referred to Committee on General Judiciary

The following House bills were read second time.

By Messrs. Littleton, Garlington and Pearce—

A bill to create a river and canal commission for the City of Augusta.

Referred to Committee on Special Judiciary.

By Messrs. Littleton, Garlington and Pearce—

A bill to authorize the City of Augusta to acquire by condemnation and other proceedings fee simple title to property in the City of Augusta for the purpose of laying water pipes.

By Mr. Tracey—

A bill to amend the Act creating the Commissions of Roads and Revenues for Webster county.

By Mr. Walters—

A bill to amend the Act establishing the City Court of Moultrie.

By Mr. McWhorter—

A bill to change the time of holding the Superior Court of Greene county

By Mr. Burch—

A bill to amend the Act establishing the City Court of Dublin.

By Messrs. Kidd and Fairecloth—

A bill to require the county tax collectors of this State to keep cash books.

The following Senate bill was read first time:

By Mr. McCurry—

A bill to amend Section 1349 of the Code which requires teachers institutes to hold annual meetings.

Referred to Committee on Agriculture.

Senator Ward was granted leave of absence on account of sickness.

On motion the Senate adjourned until tomorrow morning at 10 o'clock.

## SENATE CHAMBER, ATLANTA, GEORGIA,

TUESDAY, JULY 20, 1909.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Akin	Irwin	McClure
Bowen	Jackson	Patterson
Burwell	Kemp	Price
Blackwell	King	Perry
Callaway of 10th	Longley	Pitts
Callaway of 29th	Mays	Rutherford
Calhoun	Murray	Rudicil
Cates	Morris	Slater
Conley	Mathews	Sellers
Day	McLean	Stevens
Gordy	McDowell	Ward of 5th
Griffith	McCurry	Womble
Harrell	McWilliams	Wood
Harben	McCollum	Mr. President

Those absent were Messrs.:

Johnson	Ward of 7th
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The Journal of yesterday was read and approved.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:



*Mr President:*

The House has passed by the requisite Constitutional majority the following bills of the House, to-wit:

A bill to make it unlawful to run traction engines in Thomas or Grady counties.

A bill to abolish the City Court of Mt. Vernon.

A bill to amend an Act re-incorporating the town of Thomasville.

A bill to amend the Act establishing the City Court of Miller county

A bill to authorize the county of Ware to issue bonds for the purpose of building public roads.

A bill to amend the Act creating the City Court of Tifton.

A bill to amend the Charter of Greenville in Meriwether county

A bill to incorporate the town of Fry in the county of Fannin.

A bill to create the office of Commissioner of Roads and Revenues for the county of Henry

A bill to amend the Act approved October 6th,

1891 so as to submit the question of local taxation for public schools in Demorest to the people; also, to amend an Act approved November 13th, 1889, so as to allow the Mayor and Council of Demorest to assess, levy and collect a tax not exceeding ten mills.

A bill to create the office of Commissioner of Roads and Revenues for the County of Telfair.

A bill to regulate the use of log carts, traction engines and other vehicles hauling timber, logs or other articles that drag upon and injure the public roads and bridges of Glynn county; and to prescribe a penalty for the violation of the provisions of this Act.

A bill to regulate the butchering, dressing or otherwise preparing for market any cattle, goats, or sheep in Mitchell and Thomas counties.

A bill to further amend the Charter of the town of Palmetto, in the counties of Campbell and Coweta.

A bill to amend the Charter of the town of Grantville in Coweta county

A bill to fix the compensation of the Ordinary of Stephens county for attending to matters pertaining to roads and revenues in said county, and to provide for the payment of the same.

A bill to incorporate the town of Avalon in the county of Stephens.

Senator Johnson was granted leave of absence on account of sickness.

Mr. Burwell gave notice that at the proper time he would move to reconsider the action of the Senate in defeating the following bill of the Senate on yesterday

By Mr. Harrell—

A bill to fix the punishment for bigamy in this State.

• Mr. Burwell moved to reconsider the above mentioned bill.

On this motion the ayes and nays were ordered and the vote is as follows:

Those voting in the affirmative were Messrs:

Burwell	Harrell	McWilliams
Blackwell	Irwin	McClure
Callaway of 10th	Kemp	Patterson
Callaway of 29th	King	Price
Calhoun	Murray	Rudicil
Cates	Mathews	Stevens
Day	McLean	Womble
Gordy	McDowell	Wood
Griffith	McCurry	

Those voting in the negative were Messrs.:

Akin	Jackson	Rutherford
Bowen	Longley	Ward of 5th

Those not voting were Messrs:

Conley	Morris	Slater
Harben	McCollum	Sellers
Johnson	Perry	Ward of 7th
Mays	Pitts	Mr. President

Ayes, 26; Nays, 6.

The motion prevailed.

Mr. Womble, Chairman of the Committee on Special Judiciary, submitted the following report:

*Mr. President:*

The Committee on Special Judiciary has had under consideration the following Senate bill (No. 109), which I am instructed to report back to the Senate with the recommendation that the same do pass.

A bill requiring assessment insurance companies in this State to submit upon the notice of deaths of insured or loss the number of parties composing the division in which death occurred.

The Committee also has had under consideration the following House bills which I am instructed to report back to the Senate with the recommendation that the same do pass.

A bill (No. 21). An Act to prohibit the issuing or giving away in connection with the sale of any article of goods, ware or merchandise of certain stamps, etc.

A bill (No. 176). An Act to abolish the County Court of Irwin county

A bill (No. 237). An Act to amend an Act to establish the City Court of Thomasville.

A bill (No. 277) An Act to amend an Act to establish a City Court in the county of Hall, and for other purposes.

Respectfully submitted,

M. D. WOMBLE, Chairman.

Mr. Callaway, of 29th district, Chairman of the Committee on Counties and County Matters, submitted the following report:

*Mr President:*

The Committee on Counties and County Matters has had under consideration the following House bills which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to create the office of Commissioner of Roads and Revenues of Putnam county

A bill to create the office of Commissioner of Roads and Revenues for Coffee county

A bill to repeal an Act creating a Board of Commissioners of Roads and Revenues for Coffee county

The Committee has also had under consideration the following Senate resolution which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A resolution to authorize the State Librarian to furnish certain Georgia Reports to Clerk of Superior Court of Montgomery county

Respectfully submitted,

R. D. CALLAWAY, Chairman.

Mr. Mathews, Chairman of the General Judiciary Committee, submits the following report:

*Mr President:*

The General Judiciary Committee has had under consideration the following bills of the Senate which it instructs me to report back with the recommendation that the same do pass.

A bill to make it the duty of the Ordinaries of this State to have all female patients conveyed to the insane asylum by a female attendant.

A bill to change the time for holding the spring term of Pickens Superior Court.

The Committee also recommends that the following Senate bill do not pass.

A bill to require railroads to fence their tracks.

Respectfully submitted,

H. A. MATHEWS, Chairman.

The following House bills were read first time:

By Mr. Brown—

A bill to create the office of Commissioner of Roads and Revenues for Henry county

Referred to Committee on Counties and County Matters.

By Mr. Jones—

A bill to regulate the butchering, dressing or otherwise preparing for market any cattle, goats and sheep in Mitchell county.

Referred to Committee on General Agriculture.

By Mr. Gastley—

A bill to amend the Act submitting the question of local taxation in the town of Demorest.

Referred to Committee on Education.

By Mr. Meadows -

A bill to create the office of Commissioner of Roads and Revenues for Telfair county

Referred to Committee on Counties and County Matters.

By Messrs. Couch and Keely—

A bill to amend the Charter of the town of Grantville.

Referred to Committee on Corporations.

By Mr. Reid—

A bill to further amend the Charter of the town of Palmetto.

Referred to Committee on Corporations.

By Mr. Jones—

A bill to amend the Charter of the town of Greenville.

Referred to Committee on Corporations.



By Mr. Butt—

A bill to incorporate the town of Fry in Fannin county.

Referred to Committee on Special Judiciary

By Mr. Hendricks—

A bill to amend the Act creating the City Court of Tifton.

Referred to Committee on Special Judiciary

By Messrs. Wight of Grady; McIntyre, of Thomas—

A bill to make it unlawful to run traction engines in Thomas and Grady counties.

Referred to Committee on Public Roads.

By Mr. Barrett—

A bill to fix the compensation of Ordinary of Stephens county attending to matters pertaining to roads and revenues.

Referred to Committee on Public Roads.

By Mr. Barrett—

A bill to incorporate the town of Avalon in Stephens county

Referred to Committee on Corporations.

By Mr. Reese—

A bill to regulate the running of traction engines and log carts on the public roads of Glynn county

Referred to Committee on Counties and County Matters.

By Mr. McArthur—

A bill to abolish the City Court of Mt. Vernon.

Referred to Committee on Special Judiciary

By Mr. Bailey—

A bill to amend the Act establishing the City Court of Miller county

Referred to Committee on Special Judiciary

By Mr. McIntyre—

A bill to amend the Act incorporating the town of Thomasville.

Referred to Committee on Special Judiciary

By Mr. Miller—

A bill to authorize the county of Ware to issue bonds for the public roads improvement.

Referred to Committee on Public Roads.

The following Senate bill was tabled.

By Mr. Slater—

A bill to amend the Constitution so as to provide for biennial sessions of the General Assembly.

The following Senate bill was read second time:

By Mr. Gordy, by request—

A bill to authorize individuals or corporations controlling water powers to lease or purchase or condemn rights of way for the purpose of securing water for power under certain circumstances.

The following Senate bills were read first time:

By Mr. Irwin, by request—

A bill to amend the Charter of the town of Shellman.

Referred to Committee on Corporations.

By Mr. Akin—

A bill to repeal an Act establishing the City Court of St. Marys.

Referred to Committee on Counties and County Matters.

By Mr. Harrell—

A bill for the relief of the prisoners in jail in the counties of this State.

Referred to Committee on Public Roads.

By Mr. Burwell—

A bill to amend the Act requiring the judges of the Superior Court and City Courts of this State to decide all motions for new trials.

Referred to Committee on General Judiciary

By Mr. McLean—

A bill to amend Section 2426 of the Code and to strike Section 2427 of the Civil Code.

Referred to Committee on General Judiciary

By Mr. Murray—

A bill to amend Section 2181 of the Code of 1895.

Referred to Committee on General Judiciary

By Mr. Burwell—

A bill to amend the Act to prescribe the manner, terms and specifications for letting public printing to the lowest bidder.

Referred to Committee on Constitutional Amendments.

The following Senate bills were read second time:

By Mr. Day—

A bill to change the time for holding spring term of Pickens Superior Court.

By Messrs. Price and McCurry—

A bill to require assessment insurance companies of this State to submit upon the notice of deaths of insured or loss the number of parties comprising the division in which death occurred, and for other purposes.

The following Senate bills were read third time to be put upon their passage:

By Mr. Irwin—

A bill to repeal Section 2185 of the Code.

Mr. Harrell moved to indefinitely postpone the consideration of this bill.

By unanimous consent Mr. Harrell withdrew the motion to indefinitely postpone this bill.

Report of the Committee was agreed to.

Upon the passage of the bill by substitute the ayes were 29, nays 0.

The bill having received the requisite Constitutional majority was passed by substitute.

By Mr. Slater—

A bill to amend Section 4467 of the Code.

Senate refused to agree to report of Committee, and bill was lost.

By Mr. McCurry—

A bill to amend an Act entitled an Act to conform the organization and discipline of the organized militia of this State.

Report of the Committee was agreed to as amended.

Upon the passage of the bill the ayes and nays were ordered and the vote is as follows:

Those voting in the affirmative were Messrs:

Akin	Griffith	McCollum
Bowen	Irwin	McClure
Burwell	King	Patterson
Blackwell	Murray	Price
Callaway of 10th	Morris	Rutherford
Callaway of 29th	Mathews	Rudicil
Calhoun	McLean	Slater
Cates	McDowell	Womble
Day	McCurry	Wood
Gordy	McWilliams	

Those voting in the negative were Messrs:

Harrell	Kemp	Perry
Jackson	Longley	Ward of 5th

Those not voting were Messrs:

Conley	Mays	Stevens
Harben	Pitts	Ward of 7th
Johnson	Sellers	Mr. President

Ayes, 29; Nays, 6.

The bill having received the requisite Constitutional majority was passed as amended and the amendment is as follows:

Amend by adding after "Colonel" and before "and" Also the Governors Private Secretary who shall be Military Secretary with the rank of Major, said Secretary to be appointed without regard to qualification provided for members of Governors staff.

This bill was ordered immediately transmitted to the House.

By Messrs. King, Gordy and Calhoun—

A bill to make uniform the fees of Ordinaries of this State.

Mr. Harrell proposes to amend the bill by striking out \$2.00 and inserting in lieu thereof \$1.50.

On this amendment the ayes and nays were ordered and the vote is as follows:

Those voting in the affirmative were Messrs:

Akin	Kemp	Perry
Bowen	Mathews	Rudicil
Blackwell	McLean	Slater
Day	McCurry	Ward of 5th
Harrell	McClure	Wood
Jackson	Patterson	

Those voting in the negative were Messrs:

Burwell	Callaway of 29th	Cates
Callaway of 10th	Calhoun	Gordy



Griffith	Morris	Rutherford
Irwin	McDowell	Stevens
King	McWilliams	Womble
Longley	McCollum	
Murray	Price	

Those not voting were Messrs:

Conley	Mays	Ward of 7th
Harben	Pitts	Mr. President
Johnson	Sellers	

Ayes, 17; Nays, 19.

The amendment was lost.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes and nays were ordered and the vote is as follows:

Those voting in the affirmative were Messrs:

Burwell	Griffith	Morris
Callaway of 10th	Irwin	McDowell
Callaway of 29th	Kemp	Price
Calhoun	King	Rutherford
Cates	Longley	Stevens
Gordy	Murray	Womble

Those voting in the negative were Messrs:

Akin	Mathews	Patterson
Bowen	McLean	Perry
Blackwell	McCurry	Rudicil
Day	McWilliams	Slater
Harrell	McCollum	Ward of 5th
Jackson	McClure	Wood

Those not voting were Messrs:

Conley	Mays	Ward of 7th
Harben	Pitts	Mr. President
Johnson	Sellers	

Ayes, 18; Nays, 18.

The bill was lost.

By Mr Akin—

A bill to repeal all laws now of force in this State authorizing the issue of grants to land under head rights, and for other purposes.

Report of Committee was agreed to as amended.

Upon the passage of the bill the ayes were 31, nays 0.

The bill having received the requisite Constitutional majority was passed as amended.

Amendments are as follows: Amend by adding the following words at the end of the first Section: Provided the terms of this Act shall not apply to or affect any head right warrant application for which is now pending.

Upon motion the Senate adjourned until tomorrow morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GEORGIA,

WEDNESDAY, JULY 21, 1909.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Akin	Irwin	McClure
Bowen	Jackson	Patterson
Burwell	Kemp	Price
Blackwell	King	Perry
Callaway of 10th	Longley	Pitts
Callaway of 29th	Mays	Rutherford
Calhoun	Murray	Rudicil
Cates	Morris	Slater
Conley	Mathews	Sellers
Day	McLean	Stevens
Gordy	McDowell	Ward of 5th
Griffith	McCurry	Womble
Harrell	McWilliams	Wood
Harben	McCollum	Mr. President

Those absent were Messrs.:

Johnson	Ward of 7th
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The Journal of yesterday was read and approved.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House has passed by the requisite Constitutional majority the following bills of the House, to-wit:

A bill to amend the Act creating a Board of Commissioners of Roads and Revenues for Turner county.

A bill to repeal the Act approved October 21st, 1889, and the amendment thereto, providing for the creation of a Board of Commissioners of Roads and Revenues in the county of Telfair.

A bill to amend the Act creating a Board of County Commissioners for Douglas county

A bill to amend the Charter of the City of Forsyth.

A bill to provide for the removal of obstructions of all kinds from the creeks or other running streams of Walton county.

A bill to repeal the Act creating a Board of Roads and Revenues for the county of Cherokee.

A bill to repeal the Act creating a Board of Roads and Revenues for the county of Johnson.

A bill to create a County Police Force in and for the county of Chatham.

Also, the House has adopted the following resolution of the House, to-wit:

A resolution authorizing the joint Committee to visit the University and its branches during the interim of the sessions of the Legislature.

Mr. McWilliams, Chairman of the Committee on Education, submits the following report:

*Mr. President:*

The Committee on Education has had under their consideration the following bills of the Senate and I am instructed to report the same back to the Senate with the recommendation that they do pass, to-wit:

A bill to be entitled an Act to repeal Section 1343 of the Code of Georgia which requires teachers institutes to be held annually.

A bill to be entitled an Act to amend an Act approved October 6, 1891, so as to submit the question of local taxation for public schools in Demorest to the people and for other purposes.

McWILLIAMS, Chairman.

Mr. J. M. McClure, Chairman of the Committee on W & A. Railroad, submits the following report:

*Mr. President:*

The Committee on W & A. Railroad has had un-

der their consideration the following bill of the Senate and I am instructed to report the same back to the Senate with the recommendation that they do pass.

A bill to be entitled an Act to authorize the Mayor and Aldermen of the town of Calhoun in Gordon county to construct and maintain a crossing over the W & A. Railroad.

J. N. McCURE, Chairman.

#### Report of Committee on Railroads.

*Mr President:*

The Committee on Railroads has had under consideration House Bill No. 234 entitled, An Act to permit street railroads to grant free transportation to policemen and firemen and others in the cities of this State, and which your Committee recommends do pass.

LONGLEY, of 37th, Chairman.

Mr. Patterson, Chairman of the Committee on Engrossing, submitted the following report:

*Mr President:*

The Committee on Engrossing have examined and found correctly engrossed and ready for transmis-

sion to the House of Representatives the following bills, to-wit:

A bill to repeal Section 2185 of the Code of Georgia, relative to removal of a Railroad Commissioner.

A bill to amend an Act to conform the organization of the militia of this State

A bill to repeal all laws now of force authorizing the issue of grants of lands under head rights.

Respectfully submitted,

L. F. PATTERSON, Chairman.

The following Senate bill was reconsidered by the Senate which was lost on yesterday

By Messrs. King, Gordy and Calhoun—

A bill to make uniform the issuing of marriage license in this State.

By unanimous consent the following Senate bill was taken up, read third time, and put upon its passage.

By Mr. Rutherford—

A bill to amend the Act creating the office of State Bank Examiner for the State of Georgia.

On motion this bill was recommitted to the Committee on Banks and Banking.

By unanimous consent the following bill of the House was taken up, read third time to be put upon its passage.

By Messrs. Vinson, Persons, and others—

A bill to fix the salary of the judges of Court of Appeals of Georgia.

The report of the Committee was disagreed to and the bill was lost.

Mr. Perry gave notice that at the proper time he would move to reconsider the action of the Senate in defeating the above mentioned bill.

The following Senate bill was read first time by unanimous consent:

By Mr. Gordy—

A bill to amend an Act amending the Charter of the City of Columbus so as to establish a Board of Police Commissioners.

Referred to Committee on Special Judiciary

Mr. Callaway, Chairman of the Committee on Counties and County Matters, submitted the following report:



*Mr President:*

The Committee on Counties and County Matters has had under their consideration the following bill of the Senate and I am instructed to report the same back to the Senate with the recommendation that they do pass.

A bill to be entitled an Act to regulate the use of log carts on public roads, and for other purposes.

R. D. CALLAWAY, Chairman.

By unanimous consent the following Senate bill was read third time to be put upon its passage.

By Mr. Pitts—

A bill to amend the road laws of Georgia.

This bill was made special order for tomorrow morning immediately after the reading of the Journal.

By unanimous consent the following Senate bill was withdrawn from the Committee on W & A. R. R., read second time and recommitted.

By Mr. Longley—

A bill to provide for the lease of the W & A. R. R., and for other purposes.

Mr. Irwin, Chairman of Committee on Corporations, submits the following report:

*Mr President:*

The Committee on Corporations has had under consideration the following bills of the House and the Senate:

House Bill No. 67 By Mr. Reid, of Campbell—

I am instructed to report that the same do pass.

House Bill No. 284. By Mr. Reid, of Campbell—

I am instructed to report that the same do pass.

House Bill No. 199. By Messrs. Jones and Keith,  
of Meriwether—

I am instructed to report that the same do pass.

Senate Bill No. 99. By Mr. King, of 14th district—

I am instructed to report that the same do pass.

JNO. R. IRWIN, Chairman.

By unanimous consent the following Senate bill was read first time:

By Mr. Perry—

A bill to make it unlawful for judges to grant ex parte orders, and for other purposes.

Referred to Committee on General Judiciary

By unanimous consent the following House bill was read second time:

By Messrs. Vinson and Garlington—

A bill to prohibit the giving away of trading stamps in this State.

By unanimous consent the following Senate bills were read third time, and put upon their passage:

By Mr. Day—

A bill to change the time for holding spring term of Pickens Superior Court.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 31, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. Price and McCurry—

A bill to require assessment insurance companies in this State to submit upon the notice of death of insured the number of parties composing the division in which death occurred.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority was passed.

The following House bill was read second time, and recommitted:

By Messrs. Adams and Carter—

A bill to amend the Act to create the Board of Commissioners of Roads and Revenues for Hall county

The following Senate bills were read second time:

By Mr. King—

A bill to provide for a new Charter for the City of Rochelle.

By Mr. McCurry—

A bill to repeal Section 1349 of the Code, which requires teachers institutes to be held annually.

By Mr. Rutherford—

A bill to authorize railroad companies in this State to condemn property on conditions.

By Messrs. King and Calhoun—

A bill to require all railroad companies in this State running passenger trains to use some good disinfectant.

By Mr. Patterson—

A bill to make it the duty of the Ordinaries of this State to have female lunatics conducted to the asylum by female attendants.

By Mr. Calhoun—

A resolution to authorize the State Librarian to furnish certain Georgia Reports to the Supreme Court of Montgomery county

The following House bills were read first time:

By Mr. McMahan—

A resolution to authorize the joint Committee to visit the university and its branches during interim of session.

This resolution was laid on table.

By Mr. Bell—

A bill to repeal the Act creating the Board of Roads and Revenues of Cherokee county

Referred to Committee on Counties and County Matters.

By Messrs. Hill and Persons—

A bill to amend the Charter of the City of Forsyth.

Referred to Committee on General Judiciary

By Mr. McCarthy—

A bill to create in and for the county of Chatham a County Police Force.

Referred to Committee on Corporations.

By Mr. Upshaw—

A bill to amend the Act creating a Board of County Commissioners for Douglas county

Referred to Committee on Counties and County Matters.

By Mr. Meadows—

A bill to amend an Act to repeal an Act and amendments thereto, providing for the creation of a Board of Commissioners of Roads and Revenues for Telfair county

Referred to Committee on Counties and County Matters.

By Messrs. Edwards and Smith—

A bill to provide for the removal of obstructions from the creeks and streams of Walton county

Referred to Committee on Agriculture.

By Mr. Henderson—

A bill to amend the act creating the Commissioner of Roads and Revenues for Turner county

Referred to Committee on Counties and County Matters.

By Mr. Faircloth—

A bill to repeal the Act creating the Board of Commissioner of Roads and Revenues for Johnson county.

Referred to Committee on Counties and County Matters.

The following House bills were read second time:

By Mr. Reid—

A bill to authorize the town of Palmetto to establish a system of public schools for said town.

By Mr. Hatfield—

A bill to repeal an Act creating the Board of Commissioners of Roads and Revenues for Coffee county.

By Mr. Hatfield—

A bill to create the office of Commissioner of Roads and Revenues for Coffee county

Mr. Perry, Chairman of the Committee on Constitutional Amendments, submits the following report:



*Mr President:*

The Committee on Constitutional Amendments has had under consideration the following bill of the Senate which it instructs me to report back with the recommendation that the same do pass.

A bill to be entitled an Act to amend Paragraph 1 of Section 2 of Article II of the Constitution of Georgia, so as to abolish the office of County Treasurer.

Respectfully submitted,

H. H. PERRY, Chairman.

The following Senate bill was taken up for the purpose of disagreeing to the report of the Committee which was adverse to the passage of the bill.

By Mr. Harrell—

A bill to amend Section 377 of the Code which defines bigamy so as to fix the maximum punishment for same.

Upon the motion to disagree to the report of the Committee the ayes and nays were ordered and the vote is as follows:

Those voting in the affirmative were Messrs:

Burwell	Harben	McCollum
Blackwell	Irwin	McClure
Callaway of 10th	Kemp	Patterson
Calhoun	King	Price
Cates	Murray	Pitts
Conley	Morris	Rudicil
Day	McLean	Slater
Gordy	McDowell	Stevens
Griffith	McCurry	Wood
Harrell	McWilliams	

Those voting in the negative were Messrs.:

Akin	Longley	Rutherford
Bowen	Mathews	Ward of 5th
Jackson	Perry	Womble

Those not voting were Messrs:

Callaway of 29th	Mays	Ward of 7th
Johnson	Sellers	Mr. President

Ayes, 29; Nays, 9.

The report of the Committee was disagreed to.

Upon motion of Mr. Burwell the following bill was read third time to be put upon its passage:

By Mr Harrell—

A bill to amend Section 377 of the Code which defines bigamy, and to fix the maximum punishment for the same.

Upon the passage of the bill the ayes and nays were ordered and the vote is as follows:

Those voting in the affirmative were Messrs:

Bowen	Harrell	McCollum
Burwell	Harben	McClure
Blackwell	Irwin	Patterson
Callaway of 10th	Kemp	Price
Callaway of 29th	King	Pitts
Calhoun	Murray	Rutherford
Cates	Morris	Rudicil
Conley	McLean	Slater
Day	McDowell	Stevens
Gordy	McCurry	
Griffith	McWilliams	

Those voting in the negative were Messrs:

Akin	Mathews	Womble
Jackson	Perry	Wood
Longley	Ward of 5th	

Those not voting were Messrs:

Johnson	Sellers	Mr. President
Mays	Ward of 7th	

Ayes, 31; nays 8.

The bill having received the requisite Constitutional majority was passed.

Ordered immediately transmitted to the House.

By unanimous consent the following Senate bills were read first time:

By Mr. Irwin—

A bill to amend the Act establishing the City Court of Dawson.

Referred to Committee on Counties and County Matters.

By Mr. King—

A bill to amend Section 2059 of the Code

Referred to the Committee on Finance.

The following House bill was read second time:

By Messrs. McMahan, Slade and Wohlwender—

A bill to permit street railroads to grant free transportation to policemen and firemen to ride free

On motion the Senate adjourned until tomorrow morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GEORGIA,

THURSDAY, JULY 22, 1909.

The Senate met pursuant to adjournment at 10 o'clock was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Akin	Irwin	McClure
Bowen	Jackson	Patterson
Burwell	Kemp	Price
Blackwell	King	Perry
Calloway of 10th	Longley	Pitts
Calloway of 29th	Mays	Rutherford
Calhoun	Murray	Rudicil
Cates	Morris	Slater
Conley	Mathews	Sellers
Day	McLean	Stevens
Gordy	McDowell	Ward of 5th
Griffith	McCurry	Womble
Harrell	McWilliams	Wood
Harben	McCollum	Mr. President

Those absent were Messrs.:

Johnson	Ward of 7th
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The Journal of yesterday was read and approved.

Mr. Perry moved to reconsider the action of the Senate in disagreeing to the report of the Committee on the following bill of the House:

By Messrs. Vinson, Anderson, Persons and Barksdale—

A bill to fix the salaries of the justices of the Court of Appeals.

The motion prevailed.

On motion this bill was tabled.

Mr. Jackson moved that the following bill of the Senate be withdrawn from the General Judiciary Committee and committed to the Special Judiciary Committee.

By Mr. Jackson—

A bill to prohibit commercial discrimination between different Sections of this State.

The motion prevailed.

The following special order was taken up:

By Mr. Pitts—

A bill to revise the public road laws of this State, and for other purposes.

On motion the bill was tabled.

By unanimous consent the following bills of the House were read third time to be put upon their passage:

By Messrs. Adams and Carter—

A bill to amend the Act creating the Commission of Roads and Revenues of Hall county

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite Constitutional majority was passed as amended and the amendments are as follows:

Amend Section 4 of bill by adding to end of Section the words, “or levy any tax.”

2. Amend Section 5 of the bill by striking out all of said Section after the word “following” in 6th line and substitution instead: “The said board shall have the right to appoint a Clerk of said board at such compensation as they may decide, not to exceed Two Hundred Dollars per annum and to remove said Clerk at their pleasure, and it shall be the duty of said Clerk to keep a full meeting of all the proceedings of the board, to keep on file and preserve all papers relating to the business of the board, to keep in a special book a statement of all

taxes levied and for what purpose levied, and a separate and detailed statement of each order drawn on the fund for which any tax is levied so as to show the amount drawn on each fund and shall prepare and submit to the grand jury of the county on the first day of each regular term of the Superior Court a balance showing the amount to the credit of each fund and the amount drawn on said fund, and shall in addition keep such other books and perform such other duties as are or may be required by law or by order of said board.

3. Amend by two new Sections to said bill and to be numbered Sections 8 and 9 as follows, and the repealing clause to be numbered Section 4.

Section VIII. It shall not be lawful for said board to pay any salary or compensation to overseers of roads for any work or attention to road for the time which under the law they would be required to work on the road if not overseers or to employ or pay any overseer or superintendent or guard for any time or work except when engaged under direction of the board in controlling or superintending work done by convicts or force of hired laborers disconnected with regular work of road hands in various districts.

Section IX. Be it further enacted, That it shall be the duty of the Board of Commissioners of Roads and Revenues of said county to provide for the payment as soon as possible of all the floating debt of



said county for money borrowed or advanced to pay current expenses said provisions to be made by levy of taxes or from other receipts and not by further borrowing and it shall be unlawful after the passage of this Act for said board to borrow any money or pledge the credit of the county or receive any advance of money to pay current expenses by any device whatever or to use for county purposes any money hereafter so obtained but it shall be the duty of said board to provide by levy of taxes within the limits allowed by law for the necessary expenditures of the county from the time of said levy until provision can be made for the collection of the necessary taxes in the year following so as to avoid having to borrow money for current expenses provided nothing in this Section shall prohibit the exercise of any right under the Constitution to incur a debt to meet casual deficiencies of the revenue.

By Messrs. Littleton, Garlington and Pearce—

A bill to authorize the city council of Augusta to acquire by condemnation fee simple title to property for the purpose of laying water pipe.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 31, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. Littleton, Garlington and Pearce

A bill to create a river and canal commission for the City of Augusta.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 32, nays 0.

The bill having received the requisite Constitutional majority was passed.

Mr. Callaway, Chairman of the Committee on Counties and County Matters, submits the following report:

*Mr President:*

The Committee on Counties and County Matters has had under their consideration the following bills of the House and I am instructed to report the same back to the Senate with the recommendation that they do pass, to-wit:

A bill to be entitled an Act to amend an Act to create a Board of Commissioners of Roads and Revenues in the county of Hall.

A bill to be entitled an Act to create the office of Commissioner of Roads and Revenues for the county of Telfair.

A bill to be entitled an Act to amend an Act approved August 11th, 1908, creating a Board of Roads and Revenues for Johnson county

A bill to be enacted an Act to amend an Act to repeal an Act approved October 21st, 1889, and the amendments thereto, creating a Commissioner of Roads and Revenues for the county of Telfair.

Respectfully submitted,

R. D. CALLAWAY, Chairman.

Mr. Irwin, Chairman of the Committee on Corporations, submitted the following report:

*Mr President:*

The Committee on Corporations has had under consideration the following Senate bill, which I am instructed to report back to the Senate with the recommendation that the same do pass to-wit:

A bill to amend the Charter of the City of Fort Valley

The Committee has also had under consideration the following House bills, which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to amend the Charter of City of Newnan.

Also,

A bill to amend the Charter of town of Ty Ty.

Also,

A bill to amend the Charter of City of Monroe.

Also,

A bill to amend the Charter of Williamsville,  
Walton county

Also,

A bill to amend the Charter of town of Fairburn.

Also,

A bill to incorporate the town of Cadwell, in  
Laurens county.

Also,

A bill to amend the Charter of the town of Chipley

Also,

A bill to amend the Charter of Logansville, Wal-  
ton county

Also,

A bill to amend the Charter of Grantville, Coweta county

Also,

A bill to amend the Charter of town of Palmetto.

Also,

A bill to incorporate the town of Avalon, Stephens county.

Also,

A bill to create a County Police Force for the county of Chatham.

Also,

A bill to amend the Charter of Greenville.

Respectfully submitted,

JNO. R. IRWIN, Chairman.

Mr. Griffith, Acting Chairman of the General Judiciary Committee, submits the following report:

*Mr President:*

The General Judiciary Committee has had under consideration the following bills of the Senate which

it instructs me to report back to the Senate with the recommendation that same do pass.

A bill to establish a Board of Osteopathic Examiners in this State.

A bill to amend the Act establishing a Board of Dental Examiners in this State.

The Committee also recommends that the author of the following bill be allowed to withdraw same.

A bill to require the State to furnish Justices of the Peace with form books.

Respectfully submitted,

E. S. GRIFFITH, Acting Chairman.

Mr. Patterson, Chairman of the Committee on Engrossing, submitted the following report:

*Mr President:*

The Committee on Engrossing has examined and found properly engrossed and ready for transmission to the House the following bills, to-wit:

.. A bill to amend Section 377, Volume 3 of the Code, which defines bigamy

A bill to change the time of holding the spring term of Superior Court of Pickens county

A bill to require assessment insurance companies to submit upon the notice of death of insured, the number of parties composing the division.

Respectfully submitted,

L. F. PATTERSON, Chairman.

Mr. Price, Chairman of the Committee on Agriculture, submitted the following report:

*Mr President:*

The Committee on Agriculture has had under consideration the following Senate bills which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to create the office of State Veterinarian.

A bill to provide for the protection of live stock.

The Committee has also had under consideration the following House bill which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit;

A bill to require cotton seed meal to be branded according to grade.

Respectfully submitted,

J. D. PRICE, Chairman.

ATLANTA, GA., JULY 22, 1909.

The following message was received from His Excellency the Governor, through his Secretary, Mr. Blackburn:

*Mr. President:*

I am directed by His Excellency the Governor to deliver to the Senate a sealed communication to which he respectfully invites the consideration of your honorable body in executive session.

The following Senate bills and resolutions were read third time to be put upon their passage:

By Mr. Calhoun—

A resolution to authorize the State Librarian to furnish certain Georgia Reports to the Clerk of the Superior Court of Montgomery county

Report of the Committee was agreed to.



Upon the passage of the resolution the ayes were 23, nays 0.

The resolution having received the requisite Constitutional majority was passed.

By Mr. Gordy, by request—

A bill to authorize corporations or individuals owning or operating water powers in this State to condemn property in certain cases.

On motion this bill was tabled.

By Messrs. King and Calhoun—

A bill to require all railroad companies in this State running passenger coaches shall use some good disinfectant in said coaches.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite Constitutional majority was passed by substitute.

By Mr. Patterson—

A bill to amend Section 982 of the Code so as to

add the town of Colquitt to the list of State Depositories.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Sellers -

A bill to amend the Constitution so as to authorize the General Assembly to exempt from taxation farm products.

On motion this bill was tabled.

By Messrs. King, Gordy and Calhoun—

A bill to make uniform the fees of ordinaries of this State for issuing marriage license

Report of the Committee was agreed to.

Upon the passage of the bill the ayes and nays were ordered and the vote is as follows:

Those voting in the affirmative were Messrs:

Burwell  
Blackwell

Callaway of 29th  
Calhoun

Cates  
Gordy

Griffith	Mays	Sellers
Irwin	Murray	Stevens
Kemp	McDowell	Womble
King	Price	
Longley	Rutherford	

Those voting in the negative were Messrs:

Akin	Jackson	Perry
Bowen	McLean	Pitts
Callaway of 10th	McCurry	Rudicil
Conley	McWilliams	Slater
Day	McCollum	Ward of 5th
Harrell	McClure	Wood
Harben	Patterson	

Those not voting were Messrs:

Johnson	Mathews	Mr. President
Morris	Ward of 7th	

Ayes, 19; nays, 20.

The bill was lost.

By Mr. Patterson—

A bill to make it the duty of Ordinaries of this State to have female patients conveyed to asylum by a female attendant when so requested.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Price—

A bill to create the office of State Veterinarian in this State, and for other purposes.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes and nays were ordered and the vote is as follows:

Those voting in the affirmative were Messrs:

Akin	Jackson	Patterson
Burwell	Kemp	Price
Blackwell	King	Perry
Callaway of 10th	Longley	Pitts
Callaway of 29th	Mays	Rutherford
Calhoun	Murray	Rudieil
Cates	Morris	Slater
Conley	McLean	Sellers
Gordy	McCurry	Stevens
Griffith	McWilliams	Ward of 5th
Harben	McCollum	Womble
Irwin	McClure	Wood

Those voting in the negative were Messrs:

Bowen	Day	Harrell
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Those not voting were Messrs:

Johnson	McDowell	Mr. President
Mathews	Ward of 7th	

Ayes, 35; nays, 3.

The bill having received the requisite Constitutional majority was passed.

Bill ordered immediately transmitted to House.

At 12:45 the Senate went into executive session.

The following Senate bills were read first time:

By Mr. Womble—

A bill to amend the Constitution so as to limit the tax rate in Georgia to six mills.

Referred to Committee on Constitutional Amendments.

By Mr. Womble—

A bill to provide for separate cars for white and colored people on the street railroads of this State.

Referred to Committee on Railroads.

By Mr. Womble—

A bill to regulate and limit mortgage fi fas to 7 years.

Referred to Committee on Special Judiciary

By Mr. Brown—

A bill to amend the Act establishing and maintaining the Agricultural Colleges of the Congressional Districts of this State.

Referred to Committee on Education.

Senator McLean was granted leave of absence.

Senator Perry was granted leave of absence from last Monday's session on account of important business.

On motion the Senate adjourned until tomorrow morning.

## SENATE CHAMBER, ATLANTA, GEORGIA,

FRIDAY, JULY 23, 1909.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President:

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Akin	Irwin	McClure
Bowen	Johnson	Patterson
Burwell	Jackson	Price
Blackwell	Kemp	Perry
Callaway of 10th	King	Pitts
Callaway of 29th	Longley	Rutherford
Calhoun	Mays	Rudicil
Cates	Murray	Slater
Conley	Morris	Sellers
Day	Mathews	Stevens
Gordy	McDowell	Ward of 5th
Griffith	McCurry	Womble
Harrell	McWilliams	Wood
Harben	McCollum	Mr. President

Those absent were Messrs.:

McLean	Ward of 7th
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The Journal of yesterday was read and approved.

Mr. Bowen, Vice-Chairman of the Committee on Banks, submitted the following report:

*Mr President:*

The Committee on Banks has had under consideration the following Senate bill which I am instructed to report back to the Senate with the recommendation that the same do pass by substitute, to-wit:

A bill to make it a misdemeanor to draw checks, drafts, etc., when drawer has no funds in bank, etc.

Respectfully submitted,

E. P. BOWEN, Chairman.

Mr. McDowell, Chairman of the Committee on Public Roads, submitted the following report:

*Mr President:*

The Committee on Public Roads has had under consideration the following House bills, which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to authorize the county of Ware to issue bonds for public roads.

A bill to fix compensation of Ordinary of Stephens county in certain cases.

The Committee has had under consideration the following Senate bill, which I am instructed to re-



port back to the Senate with the recommendation that the same do pass, to-wit:

A bill for the relief of prisoners, in jail, awaiting trial and for other purposes.

Respectfully submitted,

T. B. McDOWELL, Chairman.

Mr. Slater, Chairman of the Committee on Finance, submitted the following report:

*Mr President:*

The Committee on Finance has had under consideration the following bill of the Senate, which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to amend Section 2059 of Volume 2 of the Code of 1895 fixing fees to be charged by the insurance commissioner for filing certain certified copies.

Respectfully submitted,

W F SLATER, Chairman.

Mr. Harrell, Acting Chairman of the Committee on Engrossing, submitted the following report:

*Mr President:*

The Committee on Engrossing has examined and found properly engrossed and ready for transmission to the House of Representatives the following resolution, to-wit:

A resolution to authorize the State Librarian to furnish certain Georgia Reports to the Clerk of Superior Court of Montgomery County

The Committee has also examined and found properly engrossed and ready for transmission to the House of Representatives the following bills, to-wit:

A bill to require the disinfecting of public buildings and railroad coaches.

Also,

A bill to add the town of Colquitt in Miller county, to the list of State depositories.

Also,

A bill to make it the duty of Ordinaries in this State to have female patients conveyed to insane asylum by a female attendant whenever requested so to do.

Also,

A bill to create the office of State Veterinarian, define his duties and for other purposes.

Respectfully submitted,

G. Y. HARRELL, Acting Chairman.

Mr. Griffith, Acting Chairman of the General Judiciary Committee, submits the following report:

*Mr President:*

The General Judiciary Committee has had under consideration the following bills of the Senate, which they instruct me to report back with the recommendation that the same do pass.

A bill to amend Section 2766 of the Code.

A bill to provide for payment of past due taxes due State, county and municipalities.

A bill to provide a writ of error from certain interlocutory orders.

A bill to make it unlawful for judges to grant ex parte orders.

The Committee also recommends that the following bill do pass by substitute.

A bill to make it a misdemeanor to fail or refuse to return property for taxation.

The Committee also recommends that the author be allowed to withdraw the following bill.

A bill to direct the Insurance Commissioner to revoke certain insurance license under certain circumstances.

The Committee also recommends that the following bills do not pass.

A bill to change the time of holding the session of the General Assembly

A bill to fix the salaries of county officers.

A bill to declare void contracts to buy or sell agricultural products not already grown.

The Committee also recommends that the following House bills do pass:

A bill to forfeit the license of certain insurance companies in this State for certain causes.

A bill to repeal the Act providing for the change of county lines.

A bill to change the time for holding the Superior Court of Douglas county

Respectfully submitted,

E. S. GRIFFITH, Acting Chairman.

The following House bill was read second time and recommitted:

By Mr. Godley—

A bill to provide for the appointment of a judge of the City Court of St. Marys.

The following Senate bill was read second time:

By Mr. Akin—

A bill to amend the Act establishing a Board of Dental Examiners for the State of Georgia.

The following Senate bill was read first time:

By Mr. Wood—

A bill to repeal an Act entitled an Act to amend Section 4 of the Act regulating the running of freight trains on Sunday.

The following House bill was read second time:

By Mr. Ellison—

A bill to amend the Charter of the town of Chipley.

The following House resolution was read second time and concurred in:

By Mr. McMahan—

A resolution to authorize the joint Committee to visit the University of Georgia and its branches during the interim.

The following Senate bills were read second time:

By Mr. Perry—

A bill to provide a writ of error from certain interlocutory orders.

By Mr. Perry—

A bill to provide for the collection of past due taxes to the State, county and municipalities.

By Mr. Griffith—

A bill to amend Section 2766 of the Code.

By Mr. Longley—

A bill to establish a Board of Osteopathic Examiners for the State of Georgia.

By Mr. Patterson—

A bill to make it a misdemeanor to fail or refuse to return property for taxation.

By Mr. Mathews—

A bill to amend the Charter of the City of Fort Valley

By Mr. Brown—

A bill to declare it a misdemeanor to draw a check or draft on a bank when the drawer has no money in said bank.

By Mr. Harrell—

A bill for the relief of prisoners who are in jail awaiting trial after same have been convicted.

By Mr. Perry—

A bill to make it unlawful for judges to grant ex parte orders.

By Mr. King—

A bill to amend Section 2059 of the Code.

By Mr. Mathews—

A bill to provide for the regular exchange of books between States.

By Messrs. Irwin and Slater—

A bill to prohibit the use of worthless fillers in commercial fertilizers in this State.

This bill was recommitted.

Mr. Kemp, Chairman on the Committee on Public Libraries, submits the following report:

*Mr President:*

The Public Library Committee have had under consideration the following bills of the Senate which they instruct me to report back to the Senate with the recommendation that the same do pass.

A bill to provide for the regular exchange of Georgia Reports.

Respectfully submitted,

W R. KEMP.

The following Senate bill was read first time:

By Mr. Gordy—

A bill to make wife or husband competent witness in cases of bigamy.

Referred to Committee on Special Judiciary



The following Senate bills were read third time to be put upon their passage:

By Mr. King—

A bill to provide a new Charter for the town of Rochelle.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Price—

A bill to protect the live stock of this State from all contagious diseases.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed, as amended, and the amendment is as follows:

Amend by striking out Section 8 and numbering the succeeding Sections appropriately

By Mr. Price—

A bill to amend the Constitution so as to authorize the General Assembly to abolish the office of County Treasurer in this State.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes and nays were ordered, and the vote is as follows:

Those voting in the affirmative were Messrs:

Bowen	Harrell	McClure
Burwell	Johnson	Patterson
Blackwell	Jackson	Price
Callaway of 10th	Kemp	Perry
Callaway of 29th	King	Rutherford
Calhoun	Longley	Rudicil
Cates	Mays	Slater
Conley	Murray	Sellers
Day	McDowell	Stevens
Gordy	McCurry	Womble
Griffith	McCollum	Wood

Those voting in the negative were Messrs:

Ward of 5th

Those not voting were Messrs:

Akin	Mathews	Ward of 7th
Harben	McLean	Mr. President
Irwin	McWilliams	
Morris	Pitts	

Ayes 33; Nays 1.

The bill having received the requisite Constitutional majority, was passed, as amended, and the bill as amended is as follows:

A bill to be entitled an Act to amend Paragraph one of Section two of Article eleven of the Constitution of this State.

The following amendment to the Constitution of the State of Georgia is hereby proposed, to-wit:

That Paragraph one of Section two of Article eleven of the Constitution of said State be amended by adding to the end of said Paragraph as now appears the following words:

“The office of County Treasurer may be abolished by the General Assembly in such of the Counties of this State as the General Assembly may see fit and the duties of said office imposed upon other officers or otherwise disposed of.”

That when the above and foregoing amendment has been agreed to by two-thirds of the members of each House of the present General Assembly, it shall be the duty of the Governor, and he is hereby directed to cause the same to be published in one or more newspapers in each Congressional district in this State, two months before the next general election, and the Governor is hereby required and directed after having said amendment so published as aforesaid, to cause the same to be submitted to

the people of this State at the next general election for their ratification or rejection in the following form, to-wit:

Those desiring to vote for the adoption of this amendment shall have written or printed upon their ballots the words "For ratification of amendment abolishing office of County Treasurer." Those opposing shall have written or printed on their ballots the words "Against ratification of amendment abolishing office of County Treasurer." The returns of the election shall be made to the Secretary of State, and if this amendment is ratified, the Governor shall issue his proclamation by one insertion in one of the daily newspapers in this State announcing the result and declaring the amendment ratified.

House bill No. 21 was made special order for next Monday.

The following Senate bills were read first time:

By Mr. Perry—

A bill to require certain corporations to submit for approval to the Railroad Commission the creation of liens, mortgages, &c., upon property wholly or partly in this State.

Referred to Committee on Corporations.

By Mr. Perry—

A bill to require the tax authorities of each County to levy a sufficient tax to meet current expenses until the County taxes are paid.

Referred to Committee on Counties and County Matters.

By unanimous consent the following House bill was read third time to be put upon its passage:

By Mr. Tracey—

A bill to amend the Act establishing the Board of County Commissioners of Webster County.

Upon the passage of the bill the ayes were 20, nays 0.

The bill having received the requisite Constitutional majority, was passed.

The following Senate bills were read third time to be put upon their passage:

By Mr. McCurry—

A bill to repeal Section 1349 of the Code.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 10, nays 19.

The bill not having received the requisite Constitutional majority, was lost.

On motion, when the Senate adjourns today, it will stand adjourned until Monday morning at 11 o'clock.

Mr. Perry, Chairman of the Constitutional Amendment Committee, submitted the following report:

*Mr President:*

The Constitutional Amendment Committee have had under consideration the following bill of the Senate, which they instruct me to report back to the Senate with the recommendation that the same do pass, as amended:

A bill to amend Section 11, Article 7 of the Constitution of Georgia by adding two new paragraphs to said section.

Respectfully submitted,

H. H. PERRY, Chairman.

Mr. Perry, Chairman of the Constitution Amendment Committee, submitted the following report:

*Mr President:*

The Constitutional Amendment Committee have had under consideration the following bills of the Senate, and which they instruct me to report back to the Senate with the recommendation that the same do not pass:

A bill to amend the Constitution of Georgia by repealing Paragraph 1, Section 9 of Article 3 of the Constitution of this State, and inserting in lieu thereof a new Section prescribing the compensation to be paid the members of the General Assembly

A bill to amend the Constitution of Georgia so as to repeal Paragraph 6, Section 4, Article 3, of same, and for other purposes.

Respectfully submitted,

H. H. PERRY, Chairman.

Senate bill No. 101 was re-committed to the General Judiciary Committee.

The following Senate bill was read first time:

By Mr. Calhoun—

A bill to amend the registration laws of Georgia approved August 15, 1908.

Referred to Committee on General Judiciary.

The following House bill was read third time to be placed upon its passage:

By Messrs. McMahan, Slade and Wohlwender—

A bill to permit street railway companies to grant free transportation to policemen and firemen of the cities of this State.

The previous question was called on the bill and amendments, and the call was sustained.

The following amendment was offered by Mr. Jackson—

Amend Section 1 by striking out the words “shall not be unlawful for” and insert “shall be required that each” in 4th and 5th lines of this Section.

On this amendment, the ayes and nays were ordered, and the vote is as follows:

Those voting in the affirmative were Messrs:

Blackwell	Jackson	Patterson
Conley	McWilliams	Perry
Harrell	McClure	Rutherford

Those voting in the negative were Messrs:

Calloway of 10th	Day	Kemp
Calloway of 29th	Gordy	King
Calhoun	Griffith	Longley
Cates	Johnson	Mays



Murray	Pitts	Ward of 5th
McDowell	Rudicil	Womble
McCurry	Slater	Wood
McCollum	Sellers	
Price	Stevens	

Those not voting were Messrs:

Akin	Irwin	Ward of 7th
Bowen	Morris	Mr. President
Burwell	Mathews	
Harben	McLean	

Ayes 9; Nays 25.

The amendment was lost.

Report of the Committee was agreed to.

Upon the passage of the bill, the ayes and nays were ordered, and the vote is as follows:

Those voting in the affirmative were Messrs:

Burwell	Griffith	McClure
Blackwell	Irwin	Price
Calloway of 10th	Johnson	Pitts
Calhoun	King	Rudicil
Cates	Longley	Slater
Conley	Mays	Sellers
Day	McDowell	Wood
Gordy	McCurry	

Those voting in the negative were Messrs:

Akin	Murray	Rutherford
Callaway of 29th	McWilliams	Ward of 5th
Harrell	McCollum	Womble
Jackson	Patterson	
Kemp	Perry	

Those not voting were Messrs:

Bowen	Mathews	Ward of 7th
Harben	McLean	Mr. President
Morris	Stevens	

Ayes 23; Nays 13.

The bill having received the requisite Constitutional majority, was passed, as amended, and the amendments are as follows:

Amend by inserting after the word “department” and before the word “of” in the 6th line, the words “and the marshals and their deputies.”

Amend caption by inserting after the word “departments” the following words, “and the marshals and their deputies.”

The following House bills were read second time and re-committed:

By Mr. Meadows—

A bill to repeal the Act amending the Act establishing a Board of Commissioners of Roads and Revenues for Telfair County

By Mr. Meadows—

A bill to create the office of Commissioner of Roads and Revenues for Telfair County.

Upon motion, the Senate adjourned until Monday morning at 11 o'clock.

## SENATE CHAMBER, ATLANTA, GEORGIA,

MONDAY, July 26th, 1909.

The Senate met pursuant to adjournment at 11 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll, the following members answered to their names:

Akin	Johnson	Patterson
Bowen	Jackson	Price
Burwell	Kemp	Perry
Blackwell	King	Pitts
Callaway of 10th	Longley	Rutherford
Callaway of 29th	Mays	Rudicil
Calhoun	Murray	Slater
Cates	Morris	Sellers
Conley	Mathews	Stevens
Day	McLean	Ward of 5th
Gordy	McDowell	Womble
Griffith	McCurry	Wood
Harrell	McWilliams	Mr. President
Harben	McCollum	
Irwin	McClure	

Those absent were Messrs:

Ward of 7th

Notice was given that at the proper time a motion would be made to reconsider the action of the Senate in defeating Senate Bill No. 111.

The Journal of Friday was read and approved.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has concurred in the amendment of the Senate to the following bill of the House, to-wit:

A bill to amend the Act creating a Board of Commissioners of Roads and Revenues in the County of Hall.

Also,

The House has passed by the requisite Constitutional majority, the following bills of the House, to-wit:

A bill to incorporate the City of Glennville in the County of Tatnall.

A bill to incorporate the City of Rays Mill, in the County of Berrien.

A bill to repeal the Act consolidating, amending and codifying the various Acts incorporating the City of Dalton, and to establish a new Charter for said City

A bill to amend the Act establishing a City Court in the City of Carrollton, in the County of Carroll.

A bill to amend the Act approved August 12, 1904, increasing the number of terms of Superior Court of Chatham County, Georgia.

A bill to amend the Act establishing a new Charter for the City of Atlanta and the several Acts amendatory thereof.

A bill to amend the Act establishing the City Court of Sylvester, so as to authorize persons accused of misdemeanors in said Court to demand indictment or presentment by the Grand Jury

A bill to amend, consolidate and supersede the Acts incorporating the town of Grovetown, in the County of Columbia.

A bill to amend the Constitution of Georgia so as to allow Augusta to increase her bonded indebtedness beyond the amount now allowed by the Constitution, and for other purposes.

A bill to establish the City Court of Ocilla.

A bill to wind up the affairs of the dispensary of Blakeley, and to abolish the Board of Commissioners.

A bill to amend the Act incorporating the town of Blairsville, in Union County

Mr. R. D. Callaway, Chairman of the Committee on Counties and County Matters, submitted the following report:

*Mr President:*

The Committee on Counties and County Matters has had under consideration the following Senate bills which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to provide the mode of election of County Police, in Counties having over 90,000 population and for other purposes.

A bill to amend an Act to establish the City Court of Dawson.

The Committee has also had under consideration the following House bill, which I am instructed to report back with the recommendation that the same do pass, by substitute, to-wit:

A bill to provide for the appointment of a Judge of the City Court of St. Marys.

Respectfully submitted,

R. D. CALLAWAY, Chairman.

Mr. Patterson, Chairman of the Committee on Engrossing, submitted the following report:

*Mr President:*

The Committee on Engrossing have examined and found correctly engrossed and ready for transmission to the House of Representatives, the following bills, to-wit:

A bill to provide for the protection of live stock in this State.

A bill to amend Paragraph 1 of Section 2 of Article 11 of the Constitution of Georgia.

Respectfully submitted,

L. F. PATTERSON, Chairman.

Mr. McWilliams, Chairman of the Committee on Education, submitted the following report:

*Mr President:*

The Committee on Education has had under consideration the following bills of the Senate, and I am instructed to report the same back to the Senate with the recommendation that they do pass, to-wit:

A bill to be entitled an Act to amend an Act to provide for the creation and operation of local tax district schools.

A bill to be entitled an Act to repeal an Act approved August 11th, 1908, to establish a public



school system within the corporate limits of the City of Wrightsville.

A bill to be entitled an Act to amend an Act entitled an Act to provide for the establishment and maintenance of schools of Agriculture and Mechanics Arts in the respective Congressional Districts of this State, approved August 18, 1906.

Respectfully submitted,

McWILLIAMS, Chairman.

Mr. McCurry moved to reconsider the action of the Senate in defeating Senate bill No. 111.

The motion was lost.

The following special order was taken up:

By Messrs. Vinson and Garlington—

A bill to prohibit the issuing of trading stamps in this State.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite Constitutional majority, was passed.

The following House bills were read first time:

By Messrs. Kennedy and Smith—

A bill to incorporate the City of Glennville, in Tatnall County

Referred to Committee on Corporations.

By Mr. Paulk—

A bill to incorporate the City of Rays Mill, in Berrien County

Referred to Committee on Corporations.

By Mr. Tarver—

A bill to repeal the Act entitled an Act to consolidate, amend and codify the various Acts incorporating the City of Dalton.

Referred to Committee on Corporations.

By Mr. Ford—

A bill to amend an Act establishing the City Court of Sylvester.

Referred to Committee on Special Judiciary

By Messrs. Alexander, Brown and McElreath—

A bill to amend the Act establishing a new Charter for the City of Atlanta.

Referred to Committee on Corporations.

By Mr. Moore—

A bill to amend and supersede the several Acts incorporating the town of Grovetown, in Columbia County.

Referred to Committee on Counties and County Matters.

By Mr. Henderson—

A bill to establish the City Court of Ocilla.

Referred to Committee on Special Judiciary.

By Messrs. Lawrence, Anderson and McCarthy—

A bill to amend the Act to increase the number of terms of Superior Court of Chatham County

Referred to Committee on General Judiciary

By Mr. Brown, of Carroll—

A bill to amend the Act to establish the City Court of Carrollton, in Carroll County

Referred to Committee on Special Judiciary

By Messrs. Vinson, Littleton, Pierce, Garlington and Fields—

A bill to amend the Constitution of Georgia so as to allow Augusta to increase her bonded debt.

Referred to Committee on Amendments to Constitution.

By Mr. Strong—

A bill to wind up the affairs of the dispensary in Blakeley, Ga., and to abolish the Board of Dispensary Commissioners.

Referred to Committee on Counties and County Matters.

By Mr. Berry—

A bill to amend an Act incorporating the town of Blairsville.

Referred to Committee on Corporations.

The following Senate bills were read first time:

By Mr. Jackson—

A bill to provide for pleading and practice in the County Courts of this State, and for other purposes.

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Referred to Committee on Special Judiciary

By Mr. Mathews—

A bill to provide for a method of assessing and collecting taxes, and for other purposes.

Referred to Committee on General Judiciary

The following Senate bills were read second time:

By Mr. Perry—

A bill to amend Section 11, Article 7, of the Constitution by adding two new paragraphs to said Section.

By Mr. Brown—

A bill to amend the Act providing for the establishing the Agricultural Schools of this State.

By Mr. Slaton—

A bill to provide for County Police in certain Counties of this State.

By Mr. Irwin—

A bill to amend an Act establishing the City Court of Dawson, Ga.

The following House bills were read second time:

By Mr. Kirby—

A bill to amend the Act creating a new Charter for the City of Newnan.

By Mr. Johnson—

A bill to forfeit the license of certain insurance companies in this State under certain conditions.

By Mr. Faircloth—

A bill to repeal the Act establishing a system of public schools in the City of Wrightsville.

By Messrs. Tippins and MacIntyre—

A bill to amend an Act to provide for the creation and operation of local school districts.

By Mr. Hendricks—

A bill to amend an Act incorporating the town of Ty Ty.

By Mr. Reid—

A bill to create the office of Commissioner of Roads and Revenues for Putnam County.

By Mr. McCarthy—

A bill to be entitled an Act to create in and for the County of Chatham a County Police Force, and for other purposes.

By Messrs. Couch and Kirby—

A bill to be entitled an Act to amend the Charter of the town of Grantville, in Coweta County, Georgia.

By Mr. Gastley—

A bill to be entitled an Act to amend an Act approved October 6, 1891, so as to submit the question of local taxation for public schools in Demorest to the people.

Also,

To amend an Act approved November 13, 1889, so

as to allow the Mayor and Council of Demorest to assess, levy and collect a tax not exceeding ten mills.

By Messrs. Edwards and Smith—

A bill to be entitled an Act to amend the Charter of the town of Logansville, in Walton County

By Mr. Barrett—

A bill to be entitled an Act to fix the compensation of the Ordinary of Stephens County for attending to matters pertaining to roads and revenues in said County, to provide for the payment of same, and for other purposes.

By Mr. Reid—

A bill to further amend the Charter of the town of Palmetto, in the Counties of Campbell and Coweta, and for other purposes.

By Mr. Faircloth—

A bill to be entitled an Act to repeal an Act approved August 11th, 1908, creating a Board of Roads and Revenues for the county of Johnson, depriving them powers and duties, and for other purposes



By Mr. Jones—

A bill to be entitled an Act to amend the Charter of Greenville, Meriwether County, Georgia, and for other purposes.

By Messrs. Adams and Carter—

A bill to be entitled an Act to amend the Act establishing a City Court in the County of Hall, and for other purposes.

By Mr. Barrett—

A bill to be entitled an Act to incorporate the town of Avalon, in the County of Stephens, and for other purposes.

By Mr. Upshaw—

A bill to be entitled an Act to change the time of holding Superior Court in Douglas County.

By Mr. Edwards—

A bill to be entitled an Act to amend the Act establishing a Charter for the City of Monroe, in Walton County, and for other purposes.

By Messrs. Edwards and Smith—

A bill to be entitled an Act to amend the Charter of Williamsville, in Walton County, so as to change the name of said town to Bold Springs.

By Mr. Miller—

A bill to be entitled an Act to authorize the County of Ware to issue bonds for purpose of building public roads, and for other purposes.

By Mr. Reid—

A bill to be entitled an Act to amend the Charter of the town of Fairburn, in Campbell County, Ga., approved December 18, 1897, and the Act approved August 17, 1908, amendatory thereof, so as to take said town out of Fairburn School District, etc., and for other purposes.

By Mr. Reid—

A bill to be entitled an Act to amend the Charter of the town of Fairburn, in Campbell County

By Messrs. Burch and Jones—

A bill to incorporate the town of Cadwell, in the County of Laurens.

By Mr. Fields—

A bill to repeal the Act to change County line in incorporated towns in this State.

By Mr. Henderson—

A bill to abolish the County Court of Irwin County.

By Mr. MacIntyre—

A bill to amend the Act establishing the City Court of Thomasville.

By Mr. Reid—

A bill to abolish the Board of County Commissioners of Putnam County.

By Messrs. Jones and Keith—

A bill to repeal the Act incorporating the Woodbury School District.

*Mr President:*

The Joint Committee of the Senate and House, to which was referred the message of the Governor, reporting to the General Assembly the fact of the suspension of S. G. McLendon, Railroad Commissioner of Georgia, and assigning his reasons therefor, beg leave to report that, in conformity with the

instructions contained in said joint resolution, the Committee has made investigation and has heard all testimony and received all evidence offered before it.

In accordance with the resolution adopted by the Committee, the official report made herewith is submitted and made in two separate and distinct sections; one confined to the evidence submitted in reference to the Governor's message of suspension on June 25th, and matters cognate or incidental thereto, the same being covered by Parts I and II of the Official Record submitted herewith; and the other confined to the alleged bond transactions by Mr. McLendon and others, and matters cognate or incidental thereto, the same being covered by Part III of the Official Record submitted herewith.

Your Committee herewith submits the following:

First: All formal documents and writings relating to the matters contained in the Governor's message and considered by the Committee.

Second: A brief, reduced to narrative form, of all the oral testimony relating to matters contained in the Governor's message and considered by the Committee.

Your Committee, under instructions in said resolution, have inquired fully into all the facts pertaining to the conduct of said Railroad Commissioner, in the matter of the purchase and sale of certain

railroad stocks and securities, and herewith submit in proper form all evidence touching the same.

After the Committee had completed its work of taking testimony and the record had been delivered to the printer, your Committee received from Honorable Hoke Smith a communication in writing, which, by direction of the Committee, is herewith attached and submitted with this report, and as a part thereof, though the same was not considered as a part of the evidence by the Committee.

Your Committee being empowered only to "investigate and report all the evidence," submit no finding either of law or fact, and make no recommendation.

Respectfully submitted,

W. H. BURWELL,

Chairman Senate Committee.

LAW OFFICES

SMITH, HASTINGS & RANSOM.

ATLANTA, GA., July 22nd, 1909.

HONORABLE W. H. BURWELL, Chairman,

Committee on Investigation of Suspension of  
Mr. S. G. McLendon,

State Capitol,

Atlanta, Georgia.

Dear Sir:

Recent publications in newspapers throughout the

State, especially the Atlanta Constitution and the Macon Telegraph, have sought to create the impression that I failed in my message to the Legislature to mention the connection of Mr. S. G. McLendon with the Athens Street Railroad bonds although I had knowledge of these transactions before his suspension and before the message was sent to the Legislature.

The two papers named have also published that "a conference was held in the Governor's office with political friends, in which it was agreed that all reference to the Athens bond transaction should be eliminated in the special message."

The publications to which I have referred are utterly false.

I did not know of the transactions before Mr. McLendon was suspended or before the message was sent to the Legislature.

There was no conference in the Governor's office or elsewhere, in which it was determined that I should not mention the Athens bond transaction in the message which I sent to the Legislature.

Sometime during last winter, it was suggested to me that Mr. McLendon had recently been connected in some way with a railroad bond transaction at the Central Banking & Trust Company. The party making the suggestion did not claim to have any

proof upon the subject, but he thought it deserved investigation.

I saw within a few days a director of the Central Banking & Trust Company, and sought from him information on the subject. He assured me that he knew nothing of any loan to Mr. McLendon by the Central Banking & Trust Company, or of any bond transaction that Mr. McLendon had had through the Central Banking & Trust Company.

Later on I inquired from another director, and again from the director to whom I first spoke, but I could obtain no information of a definite character. I sought information in other ways with reference to this matter, but obtained none of an authoritative nature. I finally sent a third party to the Cashier of the Bank to find out, if he could, whether Mr. McLendon had borrowed money at the bank with bonds as collateral, or had handled any bonds through the bank, but he reported that he could learn nothing to sustain such a charge.

I never had heard of Mr. McLendon's interest in the Wrightsville & Tennille Railroad bonds, nor of the correspondence between Mr. McLendon and the Attorney-General, as to the right of a Railroad Commissioner to hold such bonds, until after the suspension of Mr. McLendon.

I learned the facts connected with the Athens Street Railroad bonds since the suspension of Mr.

McLendon, and only as they have been made public through the press and as the investigation before your Committee progressed.

My own investigation had not supported the suspicion of the party who first mentioned the bond transaction through the Central Banking & Trust Company. While not satisfied that the suspicion was unfounded, I did not for a moment entertain the thought of using a report the truth of which I was not prepared to sustain.

I write you upon this subject as I now have no other means of communicating with the Legislature, and that my statement may be in your hands while your power of investigation still exists.

Very respectfully yours,

.

HOKE SMITH.

By unanimous consent, the following House bill was read third time and put upon its passage:

By Mr. Godley—

A bill to provide for the appointment of a Judge of the City Court of St. Marys.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 31, nays 0.



The bill having received the requisite Constitutional majority, was passed, by substitute.

The following Senate bills were read third time and put upon their passage:

By Mr. Pitts—

A bill to amend the road laws of this State, and for other purposes.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite Constitutional majority, was passed, as amended.

And the amendments are as follows:

Amended by adding a new Section to be appropriately numbered, to read as follows:

Be it further enacted, That this Act shall only apply to those Counties wherein the alternative road laws approved October 24, 1896, and August 3, 1903, have been or may hereafter be adopted.

Amend by adding an additional Section to be known as Section 21, and read as follows:

Be it further enacted by the authority aforesaid,

That this Act shall not go into effect or supersede the Act approved October 21, 1891, in those Counties operating, working and maintaining their roads under said Act.

Amend by changing Section 21, Section 22.

By Messrs. McLean and Rudicil—

A bill to prevent the issuing of marriage license to persons having the disease of gonorrhœa or syphilis in this State.

The previous question was called. Motion sustained, the main question was ordered.

Report of the Committee was agreed to as amended.

Upon the passage of the bill the ayes and nays were ordered, and the vote is as follows:

Those voting in the affirmative were Messrs:

Blackwell	Longley	Price
Calloway of 10th	Mays	Pitts
Calhoun	Murray	Rutherford
Cates	Morris	Rudicil
Gordy	Mathews	Slater
Griffith	McLean	Wood
Kemp	McWilliams	

Those voting in the negative were Messrs:

Akin	Johnson	Perry
Callaway of 29th	Jackson	Sellers
Day	McDowell	Stevens
Harrell	McCurry	Ward of 5th
Harben	McCollum	Womble
Irwin	Patterson	

Those not voting were Messrs:

Bowen	King	Mr. President
Burwell	McClure	
Conley	Ward of 7th	

Ayes 20; Nays 17

The bill was lost.

The Senate stood adjourned until tomorrow morning at 10 o'clock.

## SENATE CHAMBER, ATLANTA, GEORGIA.

TUESDAY, July 27th, 1909.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll, the following members answered to their names:

Akin	Johnson	Patterson
Bowen	Jackson	Price
Burwell	Kemp	Perry
Blackwell	King	Pitts
Callaway of 10th	Longley	Rutherford
Callaway of 29th	Mays	Rudicil
Calhoun	Murray	Slater
Cates	Morris	Sellers
Conley	Mathews	Stevens
Day	McLean	Ward of 5th
Gordy	McDowell	Womble
Griffith	McCurry	Wood
Harrell	McWilliams	Mr. President
Harben	McCollum	
Irwin	McClure	

Those absent were Messrs:

Ward of 7th

Notice was given that at the proper time a motion would be made to reconsider the action of the Senate in defeating Senate Bill No. 43 on yesterday

The Journal of yesterday was read and approved.

By unanimous consent the following Senate bills were read third time and put upon their passage:

By Mr. Perry—

A bill to provide for the collection of past due taxes due the State, Counties and Municipalities in this State, and for other purposes.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 31, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Longley—

A bill to provide for the appointment of a Board of Examiners for Osteopathy in this State.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 31, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. King—

A bill to amend Section 2059 of the Code fixing the fees charged by insurance companies.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Akin—

A bill to amend the Act creating a Board of Dental Examiners for this State.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite Constitutional majority, was passed.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has adopted the following resolution of the House, to-wit:

A resolution authorizing the McLendon Committee to identify and file one copy each of the longhand transcript of notes of the hearing with the Senate and House, for future reference.

Also,

The House has passed, by the requisite Constitutional majority, the following bills of the House, to-wit:

A bill to amend the Act establishing the City Court of Wrightsville, in Johnson County.

A bill to prescribe the duties and powers of the Ordinary of Johnson County when sitting for County purposes.

A bill to amend the Act incorporating the town of Wrightsville in Johnson County, Ga., approved December 8th, 1899, and the Act amendatory thereof approved August 16th, 1907

The following Senate bills and resolutions were read first time:

By Mr. Burwell—

A bill to amend the Act increasing the membership of the Railroad Commission of Georgia, and for other purposes.

Referred to Committee on General Judiciary

By Mr. Blackwell—

A bill to create a new Charter for the town of Rutledge, in this State.

Referred to Committee on Corporations.

By Mr. Perry—

A bill to make it unlawful to seize or levy upon certain property in this State.

Referred to Committee on Labor and Labor Statistics.

By Mr. Rutherford—

A bill to amend Section 2737 of the Code relative to cancelling mortgages.

Referred to Committee on General Judiciary

By Mr. Burwell—

A resolution. Resolved, That the said S. G. McLendon be, and he is hereby, removed from the office of Railroad Commission of Georgia.

This resolution was laid on the table until tomorrow.



Mr. Harrell moved to reconsider the action of the Senate in defeating the following bill of the Senate on yesterday:

By Messrs. McLean and Rudicil—

A bill to prevent the issuing of marriage license to persons having the disease of gonorrhœa and syphilis, in certain stages.

The previous question was called, and the call was sustained, the main question ordered.

On the motion to reconsider the ayes and nays were ordered, and the vote is as follows:

Those voting in the affirmative were Messrs:

Blackwell	Harrell	Price
Callaway of 10th	Kemp	Pitts
Callaway of 29th	Longley	Rudicil
Cates	Murray	Slater
Conley	Mathews	Sellers
Day	McLean	Stevens
Gordy	McWilliams	Wood
Griffith	McClure	

Those voting in the negative were Messrs:

Akin	Jackson	Patterson
Bowen	King	Perry
Burwell	Morris	Ward of 5th
Calhoun	McDowell	Womble
Irwin	McCurry	
Johnson	McCollum	

Those not voting were Messrs:

Harben  
Mays

Rutherford  
Ward of 7th

Mr. President

Ayes 23; Nays 16.

The motion prevailed.

The following report was submitted and read:

*To the General Assembly of Georgia:*

The Commission created by the resolution of September 5th, 1908, to inquire into the feasibility of employing convicts in extending the Western and Atlantic Railroad and report thereon to the present General Assembly, beg leave to report as follows:

The Commission was completed after the adjournment of the last General Assembly by the appointment by the Governor of Mr. George Dole Wadley, of Monroe County, Mr. Paul B. Trammell, of Whitfield, Mr. W. H. Burwell, of Hancock, and Mr. Joel Hurt, of Fulton.

The Commission organized by the election of Mr. Hooper Alexander, as Chairman, and Mr. George Dole Wadley, as Secretary.

The sum appropriated did not warrant anything like the ascertainment of actual figures by survey or other like means. The Commission confined its

inquiries therefore to such sources of information as were open to it without serious expense. They have concluded and beg leave to report that a first-class standard railroad can be built on a grade of one per cent., southeastward from Atlanta to the region of the tertiary formation, and a grade of six-tenths of one per cent. from there to the sea, with a four degree curvature, at a cost of Thirty-Six Thousand, Six Hundred and Fifty Dollars per mile; that a proper allowance in addition to this to cover the cost of maintaining the grading during the first two years and ballasting the road thereafter should be Six Thousand Dollars per mile; that such a road can be thoroughly equipped at a cost of Thirteen Thousand Dollars per mile additional; and that complete and elaborate terminals can be acquired or constructed for an additional sum of Sixteen Thousand Dollars per mile. The Commission appends hereto a tabulated statement covering the details of these expenditures.

From the amounts given, reductions are possible as may be determined upon, according to the items that may be omitted entirely or reduced in quality. By the use of convict labor, the cost for grading, ballasting, tracklaying and surfacing can, in the opinion of the Commission, be reduced about Five Thousand Dollars per mile.

The figures reported do not include any allowance for interest and discount during the first two years.

It is the opinion of the Commission that such allowance should be made and that it should be treated as chargeable to capital account or cost of construction.

The Commission is further of the opinion and so report, that such a road can be counted upon to produce a volume of business during the fourth year of Seven Thousand Dollars per mile, and that the same can be operated on a ratio of 70 per cent.

This Commission is further of the opinion that the most economical source of funds for such a work is in bonds issued upon the credit of the State.

The Commission is further of the opinion that before any final and accurate estimate can be made, a preliminary survey will be necessary, and that a reliable survey of this character will cost from Ten to Fifteen Thousand Dollars.

The Commission conceives that the foregoing statement, with the tabulated figures here following, furnishes all the information which it can produce, with the resources at its disposal, for throwing light upon the subject submitted to it by the resolution under which it was created.

The Commission recognizes the fact that it is not within the scope of its duties to make any recommendation to the General Assembly. Nevertheless, the consideration of the subject has so forcibly

brought to its attention the conditions and possibilities which may confront the State at or before the termination of the present lease, and has so impressed upon it the present inability of the State to protect its interests, that we feel constrained to suggest that the General Assembly might find it advantageous to acquire further and more exact information, and to put the State in a position where it can obtain the means for adopting a policy of construction if it should hereafter think such course wise or necessary.

Respectfully submitted by the Commission.

HOOPER ALEXANDER,

Chairman.

C. W. BRANTLEY,

GEO. DOLE WADLEY,

Secretary.

J. D. HOWARD,

PAUL B. TRAMMELL,

H. J. FULLBRIGHT,

JOEL HURT,

W. H. BURWELL.

ESTIMATED COST PER MILE OF PRO-  
JECTED RAILROAD BETWEEN  
ATLANTA AND SEACOAST.

Engineering -----	\$ 1,000.00	
Right of Way (Interemdiat Station Grounds) -----	600.00	
Grading -----	12,000.00	
Bridges and Culverts-----	8,000.00	
Ties -----	2,250.00	
Rails -----	4,100.00	
Track Fastenings -----		
Frogs and Switches-----	1,200.00	
Tracklaying and Surfacing --	1,000.00	
Crossings, Cattleguards and Signs -----	100.00	
Interlocking and Signal Appa- ratus -----	200.00	
Telegraph Lines -----	200.00	
Station Buildings, Fixtures--	1,000.00	
Shops, Roundhouses and Turntables -----		
Shop machinery and Tools---	4,000.00	
Water Stations -----	200.00	
Fuel Stations -----	200.00	
Legal Expenses -----	100.00	
General Expenses -----	500.00	\$36,650.00

## Maintenance of Grading First

Two Years -----	3,000.00	
Ballast -----	3,000.00	6,000.00
<hr/>		
Engines -----	3,000.00	
Passenger, Baggage and Mail		
Cars -----	1,000.00	
Freight Cars -----	9,000.00	13,000.00
<hr/>		
Terminals — including grain elevators, storage ware- houses, docks and wharves, electric light and power plants, gas making plants and miscellaneous struc- tures -----		16,000.00

The following House bills were read first time:

By Mr. Faircloth—

A bill to prescribe the duties and powers of the Ordinary of Johnson county.

Referred to Committee on Corporations.

By Mr. Faircloth—

A bill to amend the Act repealing the Act incorporating the town of Wrightsville.

Referred to Committee on Corporations.

By Messrs. Lovejoy and Tuggle—

A resolution to authorize the McLendon Committee to indentify and file a report of their Committee with the Senate and House.

This resolution was laid on table.

By Mr. Faircloth—

A bill to amend the Act establishing the City Court of Wrightsville.

Referred to the Committee on Special Judiciary

Mr. Price, Chairman of the Committee on Agriculture, submits the following report:

*Mr President:*

The Committee on Agriculture has had under consideration the following House bill which they instruct me to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to regulate the butchering, dressing or otherwise preparing for market any cattle, goats or sheep in Mitchell county and Thomas county, Georgia, and for other purposes.

Respectfully submitted,

J D. PRICE, Chairman.



Mr. Irwin, Chairman of the Committee on Corporations, submitted the following report:

*Mr President:*

The Committee on Corporations has had under consideration the following House bills, which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to amend the Charter of the City of Atlanta.

A bill to amend the Charter of the town of Patten, in Thomas county

A bill to incorporate the City of Ray's Mill, in the county of Berrien.

Respectfully submitted,

JNO. R. IRWIN, Chairman.

Mr. Patterson, Chairman of the Committee on Engrossing, submitted the following report:

*Mr. President:*

The Committee on Engrossing has examined and found properly engrossed and ready for transmission to the House the following bill, to-wit:

A bill to provide a new Charter for the City of Rochelle.

Respectfully submitted,

L. F. PATTERSON, Chairman.

Mr. Callaway, of 29th district, Chairman of the Committee on Counties and County Matters, submits the following report:

*Mr. President:*

The Committee on Counties and County Matters has had under consideration the following bills of the House and I am instructed to report the same back to the Senate with the recommendation that they do pass, to-wit:

A bill to be entitled an Act to amend, consolidate and supersede the Act incorporating the town of Grovetown in Columbia county

A bill to be entitled an Act to wind up the affairs of the dispensary in Blakely, to abolish the Board of Commissioners and for other purposes.

Respectfully submitted,

R. D. CALLAWAY, Chairman.

Mr. Mathews, Chairman of the General Judiciary Committee, submits the following report:

*Mr President:*

The General Judiciary Committee has had under consideration the following bills of the Senate which it instructs me to report back with the recommendation that the same do pass.

A bill to fix the salary of the stenographer in the office of Attorney-General.

A bill to define the rights of Orphans' Homes and other benevolent institutions.

A bill to require the judges of the Superior and City Courts to decide all motions for new trials and for other purposes.

The Committee also recommends that the following House bill do pass:

A bill to amend the Act increasing the number of terms of the Superior Court of Chatham county.

The Committee also recommends that the following Senate bills do pass by substitute:

A bill to fix the compensation of Ordinaries in this State for paying pensions.

A bill to make it a misdemeanor to obtain lodging from hotels under false pretense.

The Committee also recommends that the following bill of the Senate do not pass:

A bill to provide for the making returns of notes, mortgages, etc., for taxes.

Respectfully submitted,

H. A. MATHEWS, Chairman.

Mr. Womble, Chairman of the Special Judiciary Committee, submitted the following report:

*Mr. President:*

The Committee on Special Judiciary having had the following Senate bills under consideration they instructed me to report back with the recommendation that they do pass: .

A bill (No. 119). An Act to amend an Act amending the new Charter of the City of Columbus providing for the establishing of a Board of Police Commissioners of said City.

A bill (No. 124) to be entitled an Act to regulate and limit mortgage fi fas to seven years and for other purposes.

A bill (No. 128) to be entitled an Act to make the wife or husband a competent witness in cases of bigamy and for other purposes. .

The Committee have had the following House bills under consideration they instructed me to report back with the recommendation that they do pass:

A bill (No. 59). An Act to amend an Act entitled an Act to establish a City Court in the City of Carrollton in the county of Carroll and for other purposes.

A bill (No. 116) to be entitled an Act to incorporate the town of Fry in the county of Fannin, and for other purposes.

A bill (No. 177). An Act to establish a City Court in Ocilla, Irwin county

A bill (No. 200). An Act to amend the Act in establishing the City Court in and for the county of Miller and for other purposes.

A bill (No. 206). An Act to abolish the City Court of Vernon, and for other purposes.

A bill (No. 235). An Act to amend an Act re-incorporating the City of Thomasville.

A bill (No. 241). An Act to amend the Act creating the City Court of Tifton, and for other purposes.

A bill (No. 447). An Act to amend an Act approved August 11, 1904, establishing the City Court of Sylvester so as to authorize persons accused of

misdemeanors in said Court to demand indictment or presentments by the Grand Jury

Respectfully submitted,

M. D. WOMBLE, Chairman.

Mr. Mathews, Chairman of the General Judiciary Committee, submits the following report:

*Mr President:*

The General Judiciary Committee has had under consideration the following Senate bill, which they instruct me to report back to the Senate with the recommendation that the same do pass as amended, to-wit:

A bill to amend the registration law approved August 15, 1908.

Respectfully submitted,

H. A. MATHEWS, Chairman.

The following House bills were read second time:

By Mr. Henderson—

A bill to establish the City Court of Ocilla.

By Messrs. Alexander, Brown and McElreath—

A bill to amend the Act establishing a new Charter for the City of Atlanta.

By Mr. Paulk—

A bill to incorporate the City of Rays Mill in the county of Berrien.

By Mr. Moore—

A bill to amend and supersede the Acts incorporating the town of Grovetown.

By Mr. Brown—

A Bill to amend the Act establishing the City Court of the City of Carrollton.

By Mr. Hendricks—

A bill to amend the Act creating the City Court of Tifton.

By Messrs. Lawrence, Anderson and McCarthy—

A bill to amend the Act increasing the number of terms of the Superior Court of Chatham county.

By Mr. Ford—

A bill to amend the Act establishing the City Court of Sylvester.

By Mr. Strong—

A bill to wind up the affairs of the dispensary of Blakely, Georgia, and to abolish the Board of Dispensary Commissioners.

By Mr. MacIntyre—

A bill to amend the Act incorporating the town of Thomasville.

By Mr. Bailey—

A bill to amend the Act establishing the City Court of Miller county

By Mr. MacIntyre—

A bill to abolish the City Court of Mt. Vernon.

By Mr. McArthur—

A bill to amend the Act incorporating the town of Patten.



By Mr. Jones—

A bill to regulate the butchering and dressing of cattle, goats and sheep for market in Mitchell county.

By Mr. Butt—

A bill to incorporate the town of Fry in Turner county

The following Senate bills were read second time:

By Mr. Gordy—

A bill to make the wife or husband a competent witness in case of bigamy

By Mr. Callaway--

A bill to fix the salary of the stenographer in the office of the Attorney-General.

By Mr. Longley—

A bill to define the right of Orphans' Homes and other benevolent institutions in this State.

By Mr. Gordy—

A bill to amend the Act amending the new Charter for the City of Columbus so as to establish a Board of Police Commissioners.

By Mr. Calhoun—

A bill to amend the registration laws of Georgia.

By Mr. Mathews—

A bill to provide a method for assessing and collecting taxes when such taxes are authorized and no adequate provision is made in the Act.

This bill was recommitted.

By Mr. McCurry—

A bill to make it a misdemeanor to obtain food or lodging from a hotel with intent to defraud said hotel.

By Mr. Burwell—

A bill to require all the judges of the Superior Courts and City Courts of this State to decide motions for new trials.

By Mr. Womble—

A bill to regulate the limit of mortgage fi fas to seven years, and for other purposes.

The following Senate bills were read 1st time:

By Mr. Sellers—

A bill to amend an Act establishing the City Court of Baxley

Referred to Committee on Constitutional Amendments.

By Mr. McCurry—

A bill to confer upon municipalities in Georgia the right to grant franchises to corporations.

Referred to Committee on General Judiciary.

By Mr. King—

A bill to regulate the manner of selecting official county newspapers and to provide how same shall be changed.

Referred to Committee on Counties and County Matters.

The following resolution was read and referred to the Committee on Rules.

By Mr. Burwell—

A resolution to make Resolution No. 18 the Special and continuing order for Wednesday, July 28, at 11 o'clock.

By unanimous consent the following Senate bill was read third time and put upon its passage.

By Mr. Slater—

A bill to amend the Constitution so as to provide for biennial sessions of the General Assembly of Georgia.

The hour of adjournment having arrived the Senate stood adjourned until tomorrow morning at 10 o'clock.

SENATE CHAMBER, ATLANTA, GEORGIA,

WEDNESDAY, JULY 28, 1909.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Akin	Irwin	McCollum
Bowen	Johnson	McClure
Burwell	Jackson	Patterson
Blackwell	Kemp	Price
Callaway of 10th	King	Perry
Callaway of 29th	Longley	Pitts
Calhoun	Mays	Rutherford
Cates	Murray	Slater
Conley	Morris	Sellers
Day	Mathews	Stevens
Gordy	McLean	Ward of 5th
Griffith	McDowell	Womble
Harrell	McCurry	Wood
Harben	McWilliams	Mr. President

Those absent were Messrs:

Rudicil                      Ward of 7th

The Journal of yesterday was read and approved.

The following message was received from the House by Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House has passed by the requisite Constitutional majority the following bill of the Senate, to-wit:

A bill to amend the Act creating the City Court of Sparta, in and for the county of Hancock.

Also, the House has passed by the requisite Constitutional majority the following bills of the House, to-wit:

A bill to repeal the Act establishing the City Court of Hamilton, in Harris county

A bill to establish a new Charter for the town of Eton, in the county of Murray

A bill to incorporate the town of Swords, in the county of Morgan.

Mr. Burwell, Acting Chairman of the Committee on Rules, submits the following report:

*Mr President:*

The Committee on Rules has had under consideration the following resolution of the Senate, which they instruct me to report back to the Senate with the recommendation that the same do pass by substitute, to-wit:

A resolution: Resolved, That the consideration of Senate Resolution No. 18 be made the special and continuing order for eleven o'clock a. m., Wednesday, July 27, 1909.

Respectfully submitted,

BURWELL, Acting Chairman.

By unanimous consent the following Senate bill was read first time:

By Mr. Day—

A bill to amend Section 982 of the Code so as to add the town of Jasper to the list of State Depositories.

Referred to Committee on Banks.

The following Senate resolution was read for the purpose of adopting same:

By Mr. Burwell—

A resolution: Resolved, That the consideration of Senate Resolution No. 18 be made the special and continuing order for eleven o'clock a. m., Wednesday, July 28, 1909.

The resolution was adopted by substitute.

ATLANTA, GA., JULY 28, 1909.

The following message was received from His Excellency the Governor, through His Secretary, Mr Blackburn:

*Mr President:*

The Governor has approved the following Senate bill:

A resolution relating to the Consular Service of the United States.

By unanimous consent the following resolution was read first time:

By Mr. Slaton, by request—

A resolution to authorize the State of Georgia to make exchange of about six acres of land owned in Cobb county by the W & A. R. R.

Referred to Committee on W & A. R. R.

The following unfinished business was taken up:

By Mr. Slater—

A bill to amend the Constitution of Georgia so as to provide for biennial sessions of the General Assembly.



Mr. Gordy moved the previous question. The motion prevailed and the main question was ordered.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes and nays were ordered and the vote is as follows:

Those voting in the affirmative were Messrs:

Akin	Harben	McCurry
Bowen	Kemp	McCollum
Callaway of 10th	King	McClure
Callaway of 29th	Longley	Patterson
Calhoun	Mays	Price
Cates	Murray	Pitts
Conley	Morris	Rutherford
Day	Mathews	Slater
Gordy	McLean	Sellers
Griffith	McDowell	Womble

Those voting in the negative were Messrs:

Burwell	Johnson	Stevens
Blackwell	Jackson	Ward of 5th
Harrell	McWilliams	Wood
Irwin	Perry	

Those not voting were Messrs:

Rudicil	Ward of 7th	Mr. President
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Ayes, 30; nays, 11.

The bill having received the requisite Constitutional majority was passed as amended, and the bill is as follows:

## A BILL

To be entitled an Act to amend paragraph three of Section four of Article three of the Constitution of this State, so as to provide for biennial sessions of the General Assembly and to fix their place of meeting.

SECTION 1. Be it enacted by the General Assembly of the State of Georgia and it is hereby enacted by authority of the same, That paragraph three of Section four of article three of the Constitution of this State be amended by repealing the said paragraph in the present Constitution and substituting in lieu thereof the following, to-wit:

“The General Assembly shall meet biennially at the Capitol on such day as is now or may hereafter be prescribed by law, and shall hold only one session during said two years’ period, unless called in extra session by the Governor. No session of the General Assembly shall continue longer than sixty days; Provided, That if an impeachment trial is pending at the end of said sixty days the session may be prolonged until the completion of said trial, but for that purpose only. In cases of destruction of the capitol or epidemics, invasion, insurrection, or war, when their meeting at the capitol may be impracticable or inadvisable, the Governor may convene them at such place in the State as he may deem best.”

SEC. 2. Be it further enacted, That whenever the above proposed amendment to the Constitution shall

be agreed to by two-thirds of the members elected to each of the Houses of the General Assembly and the same has been entered on their journals, with the ayes and nays taken thereon, the Governor shall and he is hereby authorized and instructed to cause said amendment to be published in at least two newspapers in each congressional district in this State for the period of two months next preceding the time of holding the next general election.

SEC. 3. Be it further enacted, That the foregoing proposed amendment to the Constitution shall be submitted for ratification or rejection to the electors of this State at the next general election, to be held after the publication thereof as provided for in the second Section of this Act, in the several election districts of this State, at which election every person shall be qualified to vote who is entitled to vote for members of the General Assembly All persons voting at said election in favor of adopting the proposed amendment to the Constitution shall have written or printed on their ballots the words "For Biennial Sessions Amendment," and all persons opposed to the adoption of said amendment shall have written or printed on their ballots the words "Against Biennial Sessions Amendment."

SEC. 4. Be it further enacted, That the Governor be, and he is hereby authorized and directed to provide for the submission of the proposed amendment to a vote of the people as required by the Constitution of this State in paragraph one of Section one of

article thirteen, and by the provisions of this Act, and if the proposed amendment be ratified by the vote of the people, the Governor shall, when he ascertains such ratification from the Secretary of State, to whom the returns of such election shall be referred as in cases of elections for members of the General Assembly to count and ascertain the results, issue his proclamation for one insertion in one of the daily papers in each of the congressional districts of this State, announcing such results and declaring the amendment to be ratified and adopted by the people.

SEC. 5. Be it further enacted, That all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

By unanimous consent the following House bill was read third time to be put upon its passage:

By Mr. Butt—

A bill to incorporate the town of Fry, in Fannin County

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 35, nays 3.

The bill having received the requisite Constitutional majority was passed.

On motion Senate Bill No. 80 was recommitted to the Special Judiciary Committee.

Mr. Womble, Chairman of the Special Judiciary Committee, submitted the following report:

*Mr President:*

The Committee on Special Judiciary has had under consideration the following Senate bill, which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill (No. 132) to provide for pleadings and practice in County Courts in the State of Georgia, and for other purposes.

The Committee has also had the following Senate bills, which I am instructed to report back to the Senate that the same do not pass:

A bill (No. 57). An Act to amend Section 4458, Volume II of the Code of Georgia of 1895, which provides for the judgment of cost and giving of bond and security in cases of appeals.

A bill (No. 62) prohibiting unfair discrimination between different sections of committees, etc.

A bill (No. 80) An Act to amend Section 4732

of the Code of 1895, relative to garnishment of daily, weekly and monthly wages.

Respectfully submitted,

M. D. WOMBLE, Chairman.

Mr. Perry, Chairman of the Committee on Constitutional Amendments, submitted the following report:

*Mr. President:*

The Committee on Constitutional Amendments has had under consideration the following House bills, which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to amend Paragraph 1, Section 1, Article 7, of the Constitution of this State, as amended by the ratification by the qualified voters of this State of the Act of 1908.

A bill to amend the Constitution of Georgia, so as to limit the levy of taxes on property

A bill to amend an Act to establish the City Court of Baxley

The Committee has also had under consideration the following Senate bills, which I am instructed to

report back to the Senate with the recommendation that the same do not pass, to-wit:

A bill to amend Article 1, Section 1, Paragraph 8, of the Constitution of this State.

The Committee has also had under consideration the following Senate bill, which I am instructed to report back with the recommendation that same be read the second time and referred to the Committee on General Judiciary, to-wit:

A bill to amend an Act to prescribe the manner of letting public printing.

The Committee has also had under consideration the following House bill, which I am instructed to report back with the recommendation that the same do pass, to-wit:

A bill to amend the Constitution of Georgia, so as to allow Augusta to increase her bonded indebtedness beyond the amount now allowed by the Constitution.

Respectfully submitted,

H. H. PERRY, Chairman.

Mr. Callaway, of 29th district, Chairman of the Committee on Counties and County Matters, submitted the following report:

*Mr President:*

The Committee on Counties and County Matters has had under consideration the following House bills, which I am instructed to report back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to amend an Act to repeal an Act providing for the creation of a Board of Commissioners of Roads and Revenues in the county of Telfair.

A bill to create the office of Commissioner of Roads and Revenues for the county of Telfair.

Respectfully submitted.

R. D. CALLAWAY, Chairman.

Mr. Patterson, Chairman of the Committee on Engrossing, submitted the following report:

*Mr President:*

The Committee on Engrossing has examined and found properly engrossed and ready for transmission to the House the following bills, to-wit:

A bill to amend the Road Laws approved October 21st, 1891, as amended by Acts approved December 24th, 1896, and August 3d, 1903, and for other purposes.



A bill to provide for the collection of past due taxes.

A bill to amend Section 2059 of Volume 2 of the Code of 1895, relative to fees charged by the insurance commissioner.

A bill to establish a Board of Osteopathic Examiners.

Respectfully submitted,

L. F. PATTERSON, Chairman.

The following special order was taken up, which is as follows:

By Mr. Burwell—

A resolution: Resolved, That the said S. G. McLendon be and he is hereby removed from the office of Railroad Commissioner of Georgia.

On motion action on this resolution was postponed until tomorrow morning at 11 o'clock.

On motion when the Senate adjourns at 1 o'clock it shall meet again at 3 o'clock p. m. today for the purpose of reading House and Senate bills first time and House and Senate Local and Court bills the second and third times.

The hour of 1 o'clock having arrived the Senate stood adjourned until 3 o'clock this afternoon.

The Senate met pursuant to adjournment at 3 o'clock; was called to order by the President.

On motion the roll call was dispensed with.

The following House bills were read first time:

By Mr. Brown—

A bill to establish a new Charter for the town of Eton.

Referred to Committee on Corporations.

By Mr. Atkinson—

A bill to incorporate the town of Swords in Morgan county

Referred to Committee on Corporations.

By Mr. Ellison—

A bill to repeal the Act establishing the City Court of Hamilton.

Referred to Committee on Special Judiciary

The following Senate bills were read second time:

By Mr. Sellers—

A bill to amend the Act establishing the City Court of Baxley.

By Mr. Jackson—

A bill to provide for pleading and practice in County Courts of this State.

By Mr. Womble—

A bill to amend the Constitution of Georgia so as to limit the tax rate to six mills.

By Mr. Sellers—

A bill to amend the Constitution of Georgia so as to provide for the payment of pensions to Ex-Confederate veterans and their widows.

By Mr. Burwell—

A bill to amend the Act providing for the letting out of public printing.

This bill was recommitted to Constitutional Amendments Committee.

The following Senate bills were read third time to be put upon their passage:

By Mr. Mathews—

A bill to amend the Charter of the City of Fort Valley.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Gordy—

A bill to amend the new Charter of the City of Columbus so as to establish a Police Commission.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite Constitutional majority, was passed.

The following House bill was read second time:

By Messrs. Vinson, et. al.—

A bill to amend the Constitution so as to authorize the City of Augusta to increase its public debt.

The following House bills were read third time to be put upon their passage:

By Mr. Brown—

A bill to amend the Act establishing the City Court of the City of Carrollton.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Hatfield—

A bill to be entitled an Act to create the office of Commissioner of Roads and Revenues in and for Coffee County.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Messrs. Lawrence, Anderson and McCarthy—

A bill to amend an Act entitled an Act to increase the number of terms of Superior Court of Chatham County, Ga.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Reid, of Campbell—

A bill to be entitled an Act to authorize the town of Palmetto, in the Counties of Campbell and Coweta, to establish public schools.

The report of the Committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Hatfield—

A bill to be entitled an Act to repeal an Act creat-

ing a Board of Commissioners of Roads and Revenues for Coffee County

The report of the Committee was agreed to.

Upon the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Kirby—

A bill to amend an Act to create a new Charter for the City of Newnan, by extending the corporate limits of said City.

Report of the Committee was agreed to.

Upon the passage of this bill the ayes were 25, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Walters—

A bill to amend the Act establishing the City Court of Moultrie.

Report of the Committee was agreed to.

Upon passage of this bill the ayes were 24, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Henderson—

A bill to establish the City Court of Ocilla.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Messrs. Adams and Carter—

A bill to amend the Act establishing the City Court of Hall County.

Report to the Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority, was passed.



By Messrs. Jones and Keith—

A bill to repeal the Act incorporating the Woodbury School District.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr Hendrick—

A bill to amend the Act creating the City Court of Tifton.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. MacIntyre—

A bill to amend the Act establishing the City Court of Thomasville.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Bailey—

A bill to amend the Act establishing the City Court of Miller County.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Moore—

A bill to consolidate and supersede the several Acts incorporating the town of Grovetown.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Reid—

A bill to amend the Charter of the town of Fairburn.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Upshaw—

A bill to change the time of holding the Superior Court of Douglas county

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority was passed.

Mr. Conley, Chairman of the Committee on Enrollment, submitted the following report:

*Mr President:*

The Committee on Enrollment report as duly en-

rolled and ready for the signature of the President of the Senate and Speaker of the House of Representatives, the following Act, to-wit:

An Act to amend an Act creating the City Court of Sparta in and for the county of Hancock.

Respectfully submitted,

F E. CONLEY, Chairman.

Mr. Conley, Chairman of the Committee on Enrollment, submitted the following report:

*Mr President:*

The Committee on Enrollment report as duly signed by the President of the Senate and Speaker of the House of Representatives, and delivered to the Governor, the following Act, to-wit:

An Act to amend an Act creating the City Court of Sparta, in and for the county of Hancock.

Respectfully submitted,

F E. CONLEY, Chairman.

By Mr. Faircloth—

A bill to repeal the Act establishing a public school system within the corporate limits of the city of Wrightsville.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. Burch and Jones—

A bill to incorporate the town of Cadwell.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. McArthur—

A bill to abolish the City Court of Mt. Vernon.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. MacIntyre—

A bill to amend the Act incorporating the town of Thomasville.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Reid—

A bill to create the office of Commissioner of Roads and Revenues for Putnam county.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. MacIntyre—

A bill to amend the Act incorporating the town of Patten.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Hendricks—

A bill to amend the Act incorporating the town of Ty Ty

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Paulk—

A bill to incorporate the City of Rays Mill.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Jones—

A bill to amend the Charter of Greenville

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 23,  
nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. McCarthy—

A bill to create in and for the county of Chatham  
a police force.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 23,  
nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Strong—

A bill to wind up the affairs of the dispensary in  
Blakely and to abolish the Board of Commissioners.

Report of the Committee was agreed to.



Upon the passage of the bill the ayes were 23,  
nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Ford—

A bill to amend the Act establishing the City Court of Sylvester.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 23,  
nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Faircloth—

A bill to repeal the Act creating the Board of Roads and Revenues for Johnson county.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 23,  
nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Reid—

A bill to amend the Charter of the town of Fairburn.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Reid—

A bill to abolish the Board of Commissioners of Putnam county

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority was passed as amended and the amendments are as follows:

Amend by adding at the end of Section 1st the following:

That before said Act shall become operative it shall be first submitted to the qualified voters of

Putnam county at an election to be called by the Ordinary of said county at some date between the 1st and 15th day of September, 1909, and if a majority of votes at said election are cast in favor of said Act the same shall become operative from and after the first day of January, 1910, at noon at said election those desiring to vote for said Act shall have written or printed on their votes, to abolish Board of County Commissioners'' and those desiring to vote against the Act shall have written or printed on their votes ''not to abolish the Board of County Commissioners.'' Said election shall be held as now provided by law except that the returns thereof shall be made to the Ordinary of said county and said Ordinary shall declare the result of said election.

By Messrs. Couch and Kirby—

A bill to amend the Charter of the town of Grantville, in Coweta County

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Messrs. Edwards and Smith—

A bill to amend the Charter of the town of Logansville, in Walton County

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 23,  
nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Reid—

A bill to amend the Charter of the town of Palmetto, in the Counties of Coweta and Campbell.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 23,  
nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Barrett—

A bill to incorporate the town of Avalon, in the County of Stephens.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Gastley—

A bill to amend an Act approved October 6, 1891, so as to submit the question of local taxation for public schools in Demorest to the people;

Also,

To amend an Act approved November 13, 1889, so as to allow the Mayor and Council of Demorest to assess, levy and collect a tax not exceeding ten mills.

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Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Colbeck—

A bill to authorize the Mayor and Aldermen of the

town of Calhoun to construct and maintain a street crossing over the W & A. Railroad.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Burch—

A bill to amend an Act entitled an Act to establish the City Court of Dublin, in and for the County of Laurens.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Henderson—

A bill to establish the County Court of Irwin County

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Jones—

A bill to regulate the butchering, dressing, or otherwise preparing for market any cattle, goats or sheep in Mitchell County and Thomas County, Georgia.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Ellison—

A bill to amend the Charter of the town of Chipley.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. McWhorter—

A bill to change the time of holding the Superior Court of Greene county.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Miller—

A bill to authorize the county authorities of Ware County to issue bonds for road purposes.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite Constitutional majority, was passed.



By Mr. Edwards—

A bill to amend the Act establishing a new Charter for the City of Monroe.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Messrs. Edwards and Smith—

A bill to amend the Charter of Williamsville so as to change the name of said town to Bold Springs.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Meadows—

A bill to create the office of Commissioner of Roads and Revenues for the County of Telfair.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Meadows—

A bill to amend an Act to repeal an Act approved October 21st, 1889, and the amendment thereto, providing for the creation of a Board of Commissioners of Roads and Revenues in the County of Telfair.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Barrett—

A bill to provide compensation for the Ordinary of Stephens County for attending to matters pertaining to roads.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Messrs. Alexander, McElreath and Brown—

A bill to amend the Act establishing a new Charter for the City of Atlanta.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority, was passed, as amended, and the amendments are as follows:

SECTION 2. The Mayor and General Council of the City of Atlanta are hereby authorized and empowered, in their discretion, to pave or re-pave any of the streets, or portions of streets, or public places of the City with broken stone and chert, or chert and macadam, or similar pavement, provided the assessment upon abutting property owners will not exceed the sum of thirty (30) cents per front foot on streets thirty feet in width; forty (40) cents per front foot on streets forty feet in width; and fifty (50) cents per front foot on streets fifty feet in width, without petition therefor by said abutting property owners, the laying of this character of street pavement being left entirely to the discretion of the Mayor and General Council, provided that

any resolution seeking to pave a street or public place with the pavement above described shall not be passed when first introduced, but shall thereupon be referred to the Committee on Streets, and the Clerk of Council shall advertise same one time, in one of the daily newspapers of the City, at least ten days before the final passage of such resolution, such advertisement giving notice of the introduction of such resolution, the street, public place or portion thereof, proposed to be paved, the probable cost per front foot, and the property owners or others interested shall therein be notified to appear at the regular meeting of the General Council to be held following said advertisement and make such objections as they may desire to urge. Any property owner or other person interested desiring to make objections shall arise in the Council Chamber, state his name and residence, the cause of his presence and shall thereupon be recognized and permitted to state his objections to the proposed pavement, observing all appropriate rules of the General Council. If no objections are made, then the General Council shall have the right, in their discretion, to pass such resolution; if objections are made, the General Council shall have the right, in their discretion, to adjudge same sufficient or insufficient, and, if they find same insufficient, they are hereby empowered and authorized to order such pavement laid. When laid, and ordinance shall be passed assessing the cost thereof, in accordance with the provisions of this Section, and the amount thereof

shall thereupon become a lien on the property of abutting property owners to the amount of the sum named in said ordinance, according to the front feet of such property owners, the total cost of such pavement shall not exceed the sums above named. The City shall pay one-third of the cost of all pavement laid under the provisions of this amendment and the remainder of the cost thereof shall be assessed against the abutting property owners, as above prescribed, provided that any street railway company having tracks running through any street, public place or portion thereof paved under the provisions of this Section shall be required to pay the whole cost of paving or re-paving or otherwise improving the street, under the provisions of this amendment, for the full distance of eleven feet in width of any street, portion of street, paved or repaved, under the provisions of this Section, and the assessing ordinance shall so assert the lien and declare same at the time the other assessments are made, and, in case the street railway company shall construct a track in any street, public place or portion of street after same has been paved under the provisions of this Section, it shall likewise pay for the paving, eleven feet in width of such street, public place or portion of street occupied by its tracks, according to the value of the pavement at the time, to be adjudged alone by the Mayor and General Council. Such pavement shall be distributed between the owners of property abutting thereon at the time such pavements are laid, in proportion to

the amounts originally paid by the owners of property at the time the pavement was laid. In all cases, where streets, public places or portions of streets are paved on which street railway companies have tracks and the foregoing provisions with reference to the payment of the cost of paving or improving such street, public place or portion of street, are applied and the cost of paving or re-paving eleven feet thereof assessed against the street railway company, then and in such event, the total cost of pavement of such street, public place or portion thereof, shall not be assessed against the abutting property owners but such abutting property owners shall only be assessed for the cost of such pavement after deducting the cost of paving, re-paving or improving assessed against the street railway company, as heretofore provided, less also the sum paid thereon by the City, to-wit: one-third of such balance; that is to say, when such pavement is laid or re-laid the street railway company shall be assessed for eleven feet thereof, the City will pay one-third of the remaining cost and the balance thereof shall be assessed against the owners of property abutting thereon according to frontage, but shall in no amount exceed the sums above named.

The following Senate bills were read first time:

By Mr. Kemp—

A bill to provide for the holding of a special

election in the County of Johnson, and for other purposes.

Referred to Committee on General Judiciary

By Mr. Womble—

A bill to amend Section 2615 of the Code.

Referred to Committee on Special Judiciary

The following Senate bills were read third time and put upon their passage:

By Mr. Irwin—

A bill to amend the Act establishing the City Court of Dawson.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Slaton—

A bill to provide for County Police, and for other purposes.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite Constitutional majority, was passed.

On motion, the Senate adjourned until tomorrow morning at 10 o'clock.



SENATE CHAMBER, ATLANTA, GEORGIA,

THURSDAY, July 29, 1909.

The Senate met pursuant to adjournment at 10 o'clock: was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll, the following members answered to their names:

Akin	Irwin	McCollum
Bowen	Johnson	McClure
Burwell	Jackson	Patterson
Blackwell	Kemp	Price
Callaway of 10th	King	Perry
Callaway of 29th	Longley	Pitts
Calhoun	Mays	Rutherford
Cates	Murray	Slater
Conley	Morris	Sellers
Day	Mathews	Stevens
Gordy	McLean	Ward of 5th
Griffith	McDowell	Womble
Harrell	McCurry	Wood
Harben	McWilliams	Mr. President

Those absent were Messrs:

Rudieil	Ward of 7th
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On motion, the reading of the Journal was dispensed with.

Mr. Gordy moved that the Senate reconsider its

action in postponing the McLendon matter until 11 o'clock. The motion prevailed.

Mr. McWilliams moved to reconsider the action of the Senate in passing the following bill of the House on yesterday:

By Mr. Faireloth—

A bill to repeal the Act establishing a system of public schools in Wrightsville.

The reconsideration was postponed until 3 o'clock P. M.

The motion was also made to reconsider the action of the Senate in passing the following House bill on yesterday:

By Mr. Fairecloth—

A bill to repeal the Act creating the Commissioners of Roads and Revenues for Johnson County

The reconsideration was postponed until 3 o'clock P. M.

Mr. Jackson, Vice-Chairman of the Special Judiciary Committee, submitted the following report:

*Mr President:*

The Committee on Special Judiciary has had under consideration the following Senate bill which I am instructed to report back to the Senate with the recommendation that the same do pass:

A bill, No. 143, amending Section 2615 of the Code of Georgia, Volume II, of 1895, regulating hours of labor in cotton manufacturing establishments in the State of Georgia.

Respectfully submitted,

J B. JACKSON, Vice-Chairman.

Mr. Price, Chairman of the Committee on Agriculture, submitted the following report:

*Mr President:*

The Committee on Agriculture has had under consideration the following House bill which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to provide for the removal of obstructions of all kinds from the creeks or other running streams of Walton County

Respectfully submitted,

J D. PRICE, Chairman.

Mr. Patterson, Chairman of the Committee on Engrossing, submitted the following report:

*Mr. President:*

The Committee on Engrossing has examined and found correctly engrossed and ready for transmission to the House, the following bills, to-wit:

A bill to amend an Act to establish a Board of Dental Examiners, and for other purposes.

A bill to amend Paragraph 3 of Section 4 of Article 3 of the Constitution so as to provide for biennial sessions of the General Assembly

A bill to amend the Charter of the City of Columbus.

A bill to amend an Act establishing the City Court of Dawson.

A bill to amend the Charter of the City of Fort Valley

Respectfully submitted,

L. F. PATTERSON, Chairman.

Mr. Irwin, Chairman of the Committee on Corporations, submitted the following report:

*Mr President:*

The Committee on Corporations has had under consideration the following Senate bills which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill requiring certain corporations to submit for approval to the Railroad Commission, the creation of lien, mortgages, etc.

A bill to create a new Charter for the town of Rutledge.

The Committee has also had under consideration the following House bills which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to amend an Act repealing an Act incorporating the town of Wrightsville.

A bill to prescribe the duties and powers of the Ordinary of Johnson county, when sitting for county purposes.

A bill to amend an Act to incorporate the town of Blairsville.

A bill to establish a new Charter for the town of Eton, Murray County.

A bill to incorporate the town of Swords, Morgan County

Respectfully submitted,

JNO. R. IRWIN, Chairman.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House has concurred in the Senate substitute for the following bills of the House, to-wit:

A bill to provide for the appointment of a Judge of the City Court of St. Marys.

Also,

The House has passed by the requisite Constitutional majority, the following bills of the House, to-wit:

A bill to amend the Act creating a Board of Commissioners of Roads and Revenues for the County of Colquitt.

A bill to abolish the City Court of Ashburn, and to repeal the Act of August 21, 1906, establishing the same.

A bill to amend the Charter of the City of Clarks-ville.

A bill to repeal the Act establishing the City Court of Danielsville.

A bill establishing and creating a Charter for the town of Gillsville, in Hall and Banks Counties.

A bill establishing certain road districts in Laurens County

A bill to authorize the town of Roswell, in Cobb County, to issue bonds.

A bill to establish a system of Public Schools in the town of Hiram, in the County of Paulding.

A bill to incorporate the town of Grovania, in the County of Houston.

A bill to amend an Act incorporating the City of Eastman, in the County of Dodge.

A bill to amend the Act amending, consolidating and revising the several Acts granting corporate authority to town of Lithonia, in DeKalb County.

A bill to amend the Act incorporating the town of Unadilla, in the County of Dooly.

A bill to repeal the Act incorporating the village of East Thomaston, in the County of Upson.

A bill to incorporate the village of East Thomaston, in the County of Upson.

A bill to create the office of Commissioner of Roads and Revenues in the County of Butts.

A bill to amend the Act establishing the City Court of Statesboro.

A bill to incorporate the City of Summerville, in lieu of the town of Summerville.

A bill to provide for two weeks' session of the Superior Court of Toombs County

A bill to create a Board of Commissioners of Roads and Revenues for the County of Madison.

A bill to extend the corporate limits of the town of Martin.

A bill to amend the Act incorporating the town of Brinson, in the County of Decatur.

A bill to amend, consolidate, and supersede the several Acts incorporating the City of Rome, in the County of Floyd.

Mr. Mathews, Chairman of the Committee on General Judiciary, submitted the following report:



*Mr President:*

The Committee on General Judiciary has had under consideration the following Senate bills which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to require legislative counsel and agents, employed by a firm or corporation, to oppose the passage of bills or approval of same, to file with the Secretary of State a statement in writing stating by whom he is employed and a brief description of the legislation in reference to which service is to be rendered.

A bill to require all claims for lands sold under wild land fl. fas. since 1895 and prior to August 15, 1904, to bring suits for such land within eighteen months.

A bill to provide for the transfer of registered maps of municipalities where such municipalities have been located in a new County

A bill to amend an Act to prescribe the manner of letting public printing.

A bill to provide a method for assessing and collecting taxes.

A bill to amend Section 2737 of the Code of 1895.

A bill to amend an Act to provide the oath of

office to be taken by the members of the Railroad Commission.

The Committee also has had under consideration the following Senate bills which I am instructed to report back with the recommendation that same do pass, as amended, to-wit:

A bill to create a lien upon any automobile.

A bill to confer upon Counties and Municipalities power and authority to grant franchises for construction and operation of electric wires, conduits, etc.

The Committee has also had under consideration the following House bill which I am instructed to report back with the recommendation that same do pass by substitute, to-wit:

A bill to amend the Charter of Forsyth.

The Committee has also had under consideration the following House bill which I am instructed to report back with the recommendation that the same do pass by substitute, as amended, to-wit:

A bill to authorize railroad companies in this State to condemn property on certain conditions, and for certain purposes.

Respectfully submitted,

H. A. MATHEWS, Chairman.

Mr. Morris, Chairman of the Committee on Banks, submitted the following report:

*Mr President:*

The Committee on Banks has had under consideration the following Senate bill which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to amend Section 982 of the Code of 1895 so as to add the town of Jasper, in the County of Pickens, to the list of State Depositories.

Respectfully submitted,

W S. MORRIS, Chairman.

ATLANTA, GEORGIA,

July 29th, 1909.

The following message was received from his Excellency the Governor, through his Secretary, Mr. Blackburn:

*Mr President:*

I am directed by His Excellency the Governor, to deliver to the General Assembly a communication in writing.

The following resolution was taken up:

By Mr. Burwell—

Resolved, That S. G. McLendon be suspended from the Railroad Commission of Georgia.

By unanimous consent all Senators will be allowed to introduce a bill after the hour of adjournment, arrives it is also ordered by unanimous consent that the Court Bill be read third time to be put upon its passage.

The following Senate bills were read first time:

By Messrs. Calhoun, Slater and Patterson—

A bill to provide for a Department of Labor in this State.

Referred to Committee on Labor and Labor Statistics.

By Mr. Calhoun—

A bill to create a new Charter for the town of Lumber City

Referred to Committee on Corporations.

By Mr. King—

A bill to abolish the City Court of Cordele, in the County of Crisp.

Referred to Committee on Corporations.

By Mr. McCurry—

A bill to provide for the appointment of a second Assistant Librarian for this State.

Referred to Committee on Public Library.

The following Senate bill was read third time and put upon its passage:

By Mr. Sellers—

A bill to amend an Act entitled an Act to establish the City Court of Baxley, in Appling County.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 34, nays 0.

The bill having received the requisite Constitutional majority, was passed.

On motion, the Senate adjourned until this afternoon at 3 o'clock.

The Senate met pursuant to adjournment at 3 o'clock; was called to order by the President.

On motion, the roll call was dispensed with.

The following unfinished business was taken up, which is as follows:

By Mr. Burwell—

A resolution to dismiss from the office of Railroad Commission S. G. McLendon:

Mr. Jackson moved the previous question on the resolution amendments and substitute. The main question was ordered.

The following substitute was offered by Mr Mathews:

The substitute is as follows:

Be it resolved by the Senate, That without criticising the action of the Governor for exercising his discretionary power and right to suspend Mr. McLendon upon the grounds or for the reasons assigned by him in his message, this branch of the General Assembly cannot and does not declare the Mr. S. G. McLendon shall be removed from the office of Railroad Commissioner of account of the reasons and grounds set out in said message as the reasons and grounds for suspension.

Be it further resolved, That as to any other complaints or charges against Mr. McLendon's conduct as a Railroad Commissioner than those that may be implied in the reasons assigned by the Governor as grounds of his action in suspending Mr. McLendon the Senate does not at this time consider itself called upon to take action, for the reason that any other such charges may be the subjects of proceedings in which the Senate may be required to act judicially and in the capacity of a court.

Upon the adoption of the substitute, the ayes and nays were ordered, and the vote is as follows:

Those voting in the affirmative were Messrs:

Akin	Harben	Patterson
Bowen	Johnson	Perry
Burwell	Jackson	Pitts
Blackwell	Kemp	Rutherford
Callaway of 10th	Mays	Stevens
Callaway of 29th	Murray	Ward of 5th
Conley	McWilliams	Womble
Harrell	McClure	Wood

Those voting in the negative were Messrs:

Calhoun	Longley	McCollum
Day	Morris	Price
Gordy	Mathews	Slater
Griffith	McLean	Sellers
Irwin	McDowell	
King	McCurry	

Those not voting were Messrs:

Cates

Rudieil

Ward of 7th  
Mr. President

Ayes 16; Nays 24.

The substitute was lost.

The following House bill was read second time:

By Mr. Berry—

A bill to incorporate the town of Blairsville, in  
Union County

The following Senate bill was read first time:

By Mr. Slaton—

A bill to amend the Constitution so as to provide  
for an additional Judge of the Superior Court of  
Atlanta Circuit.

Referred to Committee on General Judiciary

The hour of adjournment having arrived, the Sen-  
ate stood adjourned until tomorrow morning at 10  
o'clock.



SENATE CHAMBER, ATLANTA, GEORGIA,

FRIDAY, JULY 30, 1909.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Akin	Irwin	McCollum
Bowen	Johnson	McClure
Burwell	Jackson	Patterson
Blackwell	Kemp	Price
Callaway of 10th	King	Perry
Callaway of 29th	Longley	Pitts
Calhoun	Mays	Rutherford
Cates	Murray	Slater
Conley	Morris	Sellers
Day	Mathews	Stevens
Gordy	McLean	Ward of 5th
Griffith	McDowell	Womble
Harrell	McCurry	Wood
Harben	McWilliams	Mr. President

Those absent were Messrs:

Rudicil	Ward of 7th
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The Journal of yesterday was read and approved.

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House has passed by the requisite Constitutional majority the following bill of the Senate, to-wit:

A bill to change the time of holding the spring term of the Superior Court of Pickens county

Also, the House has passed by the requisite Constitutional majority the following bills of the House, to-wit:

A bill to establish a new Charter for the town of Tennga, in the county of Murray

A bill to amend the Charter of the City of La Fayette.

A bill to amend the Act providing for the working of public roads and the building and repairing of bridges in the county of Toombs.

Mr. Kemp, Chairman of the Committee on Public Library, submits the following report:

*Mr President:*

The Committee on Public Library has had under consideration the following Senate bill, which I am instructed to report back to the Senate with the recommendation that the same do pass.

A bill to provide for a second assistant to the State Librarian.

Respectfully submitted,

W R. KEMP, Chairman.

Mr. Harrell, Acting Chairman of the Committee on Engrossing, submitted the following report:

*Mr President:*

The Committee on Engrossing has examined and found properly engrossed and ready for transmission to the House, the following bills, to-wit:

A bill to provide for County Police in counties of over 90,000 population.

A bill to amend an Act to establish the City Court of Baxley.

Respectfully submitted,

G. Y HARRELL, Acting Chairman.

Mr. Conley, Chairman of the Committee on Enrollment, submitted the following report:

*Mr President:*

The Committee on Enrollment report as duly en-

rolled and ready for the signature of the President of the Senate and Speaker of the House of Representatives, the following Act, to-wit:

An Act to change the time of holding the spring term of the Superior Court of Pickens county.

Respectfully submitted,

F. E. CONLEY, Chairman.

Mr. Conley, Chairman of the Committee on Enrollment, submitted the following report:

*Mr President:*

The Committee on Enrollment report as duly signed by the Senate and Speaker of the House of Representatives and delivered to the Governor the following Act, to-wit:

An Act to change the time of holding the spring term of the Superior Court of Pickens county

Respectfully submitted,

F. E. CONLEY, Chairman.

The following unfinished business was taken up:

By Mr. Burwell—

Resolved, That S. G. McLendon be dismissed from the office of Railroad Commissioner of Georgia.

On the adoption of the resolution the ayes and nays were ordered and the vote is as follows:

Those voting in the affirmative were Messrs:

Akin	Harrell	Perry
Bowen	Harben	Pitts
Burwell	Johnson	Rutherford
Blackwell	Jackson	Stevens
Callaway of 10th	Kemp	Ward of 5th
Callaway of 29th	Mays	Womble
Cates	Murray	Wood
Conley	McWilliams	

Those voting in the negative were Messrs:

Calhoun	Longley	McCollum
Day	Morris	McClure
Gordy	Mathews	Patterson
Griffith	McLean	Price
Irwin	McDowell	Slater
King	McCurry	Sellers

Those not voting were Messrs:

Rudicil	Ward of 7th	Mr. President
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Ayes, 23; nays, 18.

The resolution having received the requisite Constitutional majority was passed.

The following House bills were read first time:

By Mr. Henderson—

A bill to abolish the City Court of Ashburn.

Referred to Committee on Counties and County Matters.

By Mr. Rentz—

A bill to incorporate the town of Grovania in the county of Houston.

Referred to Committee on Corporations.

By Mr. Helms—

A bill to establish a system of public schools in the town of Hiram in the county of Paulding.

Referred to Committee on Education.

By Messrs. Brinson and Parker—

A bill to amend an Act incorporating the town of Brinson in the county of Decatur.

Referred to Committee on Corporations.

By Mr. Roberts—

A bill to amend an Act incorporating the town of Eastman in the county of Dodge.

Referred to Committee on Corporations.

By Mr. Walters—

A bill to amend an Act entitled an Act to create a Board of Commissioners of Roads and Revenues for the county of Colquitt, so as to provide that said county should be divided into five districts; one Commissioner being elected from each district.

Referred to Committee on Counties and County Matters.

By Mr. Allen—

A bill to repeal an Act to incorporate the village of East Thomaston in Upson county.

Referred to Committee on Special Judiciary.

By Mr. Williams—

A bill to establish the City Court of Danielsville.

Referred to Committee on Special Judiciary.

By Messrs. Moss and Daniel—

A bill to authorize the mayor and council of the town of Roswell in Cobb county to issue bonds.

Referred to Committee on Corporations.

By Mr. Field—

A bill to amend the Act amending, consolidating and revising the several Acts granting corporate authority to the town of Lithonia, DeKalb county

Referred to Committee on Corporations.

By Messrs. Burch and Jones—

A bill to amend an Act approved December 1st, 1893, and amendatory Acts thereof approved August 1st, 1908; and to provide for eight road districts in Laurens county, Georgia.

Referred to Committee on Counties and County Matters.,

By Mr. Barrett—

A bill to extend the corporate limits of the town of Martin.

Referred to Committee on Corporations.



By Messrs. Anderson and Simmons—

A bill to amend the Act establishing the City Court of Statesboro.

Referred to Committee on Special Judiciary

By Mr. McMichael—

A bill to create the office of Commissioner of Roads and Revenues in the county of Butts.

Referred to Committee on Counties and County Matters.

By Mr. Gastley—

A bill to amend the Charter of the town of Clarkesville.

Referred to Committee on Corporations.

By Mr. Allen—

A bill to incorporate the town of East Thomaston in Upson county.

Referred to Committee on Corporations.

By Messrs. Heard and Beacham—

A bill to amend an Act incorporating the town of Unadilla, Ga., approved December 24, 1890.

Referred to Committee on Corporations.

By Mr. Meadows—

A bill to provide for two weeks' session of the Superior Court of Toombs, to validate traverse jurors drawn for August, 1909, term of this court.

Referred to Committee on Counties and County Matters.

By Mr. Edmonson—

A bill to create and incorporate the City of Summerville in lieu of the town of Summerville.

Referred to Committee on Corporations.

By Messrs. Adams and Carter, Hardeman, Holder and Wood—

A bill to amend an Act entitled an Act to establish and create a Charter for the town of Gillsville in Hall and Banks counties, Georgia, to grant certain powers and privileges to the same.

Referred to Committee on Corporations.

By Mr. Williams—

A bill to create a Board of Commissioners of Roads and Revenues for the county of Madison.

Referred to Committee on Counties and County Matters.

By Messrs. Holder, Porter and Wright—

A bill to amend, consolidate and supersede the several Acts incorporating the City of Rome.

Referred to Committee on Corporations.

By Mr. Brown—

A bill to establish a new Charter for the town of Tennnga.

Referred to Committee on Corporations.

By Mr. Rosser—

A bill to amend the Charter of the City of La Fayette.

Referred to Committee on Education.

By Mr. Williams—

A bill to create a Board of Commissioners of Roads and Revenues for Madison county.

By Mr. Meadows—

A bill to amend the Act providing for the working of public roads and the building and repairing of public bridges in Toombs county

Referred to Committee on Counties and County Matters.

The following House bills were read second time:

By Messrs. Edwards and Smith—

A bill to provide for the removal of obstructions from the streams of Walton county

By Mr. McMichael—

A bill to require all cottonseed meal sold in Georgia to be branded according to the grade and quantity.

By Mr. Atkinson—

A bill to incorporate the town of Swords in Morgan county

By Mr. Faircloth—

A bill to amend an Act repealing an Act incorporating the town of Wrightsville in Johnson county

By Messrs. Hill and Persons—

A bill to amend the Charter of the City of Forsyth.

By Mr. Faircloth—

A bill to prescribe the powers and duties of the Ordinary of Johnson county

By Messrs. Lovejoy and Tuggle—

A resolution to authorize the McLendon Committee to identify and file one copy each with the House and Senate of the long hand transcript of the stenographer's report.

By Mr. Brown—

A bill to establish a new Charter for the town of Eton in Murray county

The following House bill was read third time and put upon its passage:

By Mr. Berry —

A bill to amend the Act incorporating the town of Blairsville.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority was passed.

The following Senate bills were read second time:

By Mr. Curry—

A bill to confer upon counties and municipalities in Georgia power and authority to grant franchises to corporations for the construction, maintenance and operation of lines and systems of electric wires, conduits, appliances and equipment for making, utilizing or furnishing power, etc.

By Mr. Burwell—

A bill to amend an Act approved August 23d, 1907, to provide the oath of office to be taken and subscribed to by the members of the Railroad Commission.

By Mr. Rutherford—

A bill to amend Section 2737 of the Code of 1895, which provides how and under what conditions mortgages may be cancelled, so as to regulate fees of clerks in such cases.

By Mr. Perry—

A bill to require certain corporations to submit for approval to the Railroad Commission the creation of liens, mortgages, etc., upon property wholly or partly in this State.

By Mr. Ward—

A bill to require all claims for land sold under wild land *fi fas*, issued by the tax collectors of this State since the adoption of the Code of 1895, and prior to August 15, 1904 to bring suit for such land within eighteen months, and to provide for the manner of bringing such suits.

By Mr. King—

A bill to provide for the transfer of registered maps of municipalities, where such municipalities have been located in a new county, to provide for the authentication of the same, for their admission in evidence in the courts of the State

By Mr. Perry—

A bill to require legislative counsel and legislative agents retained or employed by any firm, person, corporation or association to promote or oppose the passage of bills or resolutions or the approval of the same, to file with the Secretary of State a statement

in writing subscribed by such counsel or person stating the name of the person, firm, corporation or association by whom or on whose behalf he is retained or employed together with a brief description of the legislation in reference to which such service is to be rendered requiring itemized statement of expenditures to be filed prohibiting legislative agents from going upon floor of legislature and privately speaking with members thereof.

By Mr. Perry—

A bill to create a lien upon any automobile.

By Mr. Womble—

A bill to amend Section 2615 of the Code of Georgia, Volume 2 of 1895, providing the hours of labor required of all persons employed in all cotton or woolen manufacturing establishments in this State.

By Mr. McCurry—

A bill to provide for the employment of a second assistant to the State Librarian and to provide for the compensation of such assistant.

By Mr. Day—

A bill to amend Section 982 of Volume 1 of the Code of Georgia of 1895 providing for the selection



by the Governor of banks in certain cities and towns therein named as State depositories, and the several Acts amendatory thereof, so as to add the town of Jasper in the county of Pickens in said State to the list of such cities and towns.

On motion when the Senate adjourns today it will stand adjourned until Monday morning at 11 o'clock.

The following resolution was adopted.

By Mr. Perry—

A resolution extending a hospitable welcome to President Taft and Postmaster-General of the United States to the Postmasters' Convention to be held in Gainesville on the 8, 9 and 10th of September, 1909.

On motion Senators Akin and Price were added to the Penitentiary Committee.

On motion the Senate adjourned until Monday morning at 11 o'clock.

SENATE CHAMBER, ATLANTA, GEORGIA,

MONDAY, AUGUST 2d, 1909.

The Senate met pursuant to adjournment at 11 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Akin	Johnson	Patterson
Bowen	Jackson	Price
Burwell	Kemp	Perry
Blackwell	King	Pitts
Callaway of 10th	Longley	Rutherford
Callaway of 29th	Murray	Slater
Calhoun	Morris	Sellers
Cates	Mathews	Stevens
Conley	McLean	Ward of 5th
Day	McDowell	Womble
Gordy	McCurry	Wood
Griffith	McWilliams	Mr. President
Harrell	McCollum	
Irwin	McClure	

Those absent were Messrs:

Harben	Mays	Rudieil
		Ward of 7th

Mr Longley gave notice that at the proper time he would move to reconsider the action of the Senate in adopting the resolution suspending S. G. McLendon from the office of Railroad Commission.

By unanimous consent the following messages from the House of Representatives and from the Governor were received:

ATLANTA, GEORGIA, AUGUST 2, 1909.

The following message was received from His Excellency the Governor, through his Secretary, Mr. Blackburn:

*Mr President:*

I am directed by His Excellency the Governor to deliver to the General Assembly a communication in writing.

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House has concurred in the Senate amendment to the following bills of the House, to-wit:

A bill to abolish the Board of County Commissioners of Putnam county, Georgia.

A bill to amend the Act establishing a new Charter for the City of Atlanta.

Also, the House has passed by the requisite Con-

stitutional majority the following bill of the Senate as amended, to-wit:

A bill to authorize the county of Glynn to issue bonds in a sum not to exceed \$100,000.00 for the construction and improvement of roads and bridges in said county

Also, the House has passed by the requisite Constitutional majority the following bill of the Senate, to-wit:

A bill to incorporate the City of Dawson.

Also, the House has passed by the requisite Constitutional majority the following bills of the House, to-wit:

A bill to amend the Act establishing the City Court of Leesburg.

A bill to amend the Act establishing a City Court in the City of Columbus for the county of Muscogee.

A bill to repeal, so far as the same effects Heard county, the road law, approved December 24th, 1896.

A bill to amend the Act incorporating the City of Lawrenceville, Georgia.

A bill to authorize the Mayor and Council of the City of Macon to close and sell certain portions of streets and alleys.

A bill to regulate salaries of stenographers in counties having cities of between 23,000 and 39,000 inhabitants.

Also, the House has amended the Senate amendment to the following bill of the House, to-wit:

A bill to permit street railroads to grant free transportation to policemen, firemen and others in the cities of this State.

Mr. Burwell moved that the Journal of Friday be approved.

Mr. Longley moved as substitute that it be stated in the Journal that the Senator from the 29th, Mr. Callaway, voted for the resolution to suspend Mr. McLendon not on the charges brought by the Governor but on account of the bond issue.

The hour of adjournment having arrived the Senate adjourned until tomorrow morning at 10 o'clock.

## SENATE CHAMBER, ATLANTA, GEORGIA,

TUESDAY, AUGUST 3d, 1909.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Akin	Irwin	McCollum
Bowen	Johnson	McClure
Burwell	Jackson	Patterson
Blackwell	Kemp	Price
Callaway of 10th	King	Perry
Callaway of 29th	Longley	Pitts
Calhoun	Mays	Rutherford
Cates	Murray	Slater
Conley	Morris	Sellers
Day	Mathews	Stevens
Gordy	McLean	Ward of 5th
Griffith	McDowell	Womble
Harrell	McCurry	Wood
Harben	McWilliams	Mr. President

Those absent were Messrs:

Rudicil	Ward of 7th
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Mr. Womble, Chairman of the Committee on Special Judiciary, submitted the following report:

*Mr President:*

The Committee on Special Judiciary have had under consideration the following House bills which they instructed me to report the same back to the Senate with the recommendation that they do pass.

A bill (No. 49). An Act to amend an Act establishing the City Court of Statesboro.

A bill (No. 477). An Act to amend an Act establishing the City Court of Wrightsville, Johnson county

Respectfully submitted,

M. D. WOMBLE, Chairman.

Mr. Womble, Chairman of the Special Judiciary Committee, submitted the following report:

*Mr President:*

The Committee on Special Judiciary has had under consideration the following Senate bills, which they instruct me to report the same back to the Senate with the recommendation that it do pass.

A bill (No. 80). An Act amending Section 4732 of the Code of Georgia of 1895, relative to garnishment of daily, weekly and monthly wages.

The Committee have also had under consideration the following House bills, which they instructed me to report back to the Senate that they do pass.

A bill (No. 194) An Act repealing an Act establishing the City Court of Danielville

A bill (No. 242). An Act providing for two weeks' session of the Superior Court of Townes county to validate traverse jurors drawn for August, 1909.

A bill (No. 422). Abolishing the City Court of Hamilton, Harris county

A bill (No. 494) An Act to repeal an Act incorporating the village of East Thomaston, Upson county

Respectfully submitted,

M. D. WOMBLE, Chairman.

Mr. Mathews, Chairman of the General Judiciary Committee, submits the following report:

*Mr. President:*

The General Judiciary Committee has had under consideration the following bill of the House, which they instruct me to report back to the Senate with the recommendation that the same do not pass, to-wit:



A bill to provide for the holding of a special election in the county of Johnson; to prescribe the qualifications of the elections of the election noting the same, and for other purposes.

Respectfully submitted,

H. A. MATHEWS, Chairman.

Mr. Mathews, Chairman of the General Judiciary Committee, submits the following report:

*Mr. President:*

The General Judiciary Committee has had under consideration the following bill of the Senate, which they instruct me to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to provide for another Judge of the Atlanta Circuit, and for other purposes.

Respectfully submitted,

H. A. MATHEWS, Chairman.

Mr. Irwin, Chairman of the Committee on Corporations, submitted the following report:

*Mr. President:*

The Committee on Corporations has had under

consideration the following House bills, which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to incorporate the City of Summerville

A bill to authorize the town of Roswell to issue bonds.

A bill to incorporate the town of Grovania in the county of Houston.

A bill to incorporate the town of Brinson in the county of Decatur.

A bill to amend the Charter of the City of Eastman.

A bill to amend the Charter of the town of Unadilla.

A bill to extend the corporate limits of the town of Martin.

A bill to amend the Charter of the City of Clarksville.

A bill to amend the Charter of the town of Gillsville, in Hall and Banks counties.

A bill to amend the Charter of town of Lithonia.

A bill to establish a new Charter for the town of Tennega in the county of Murray

The Senate has had under consideration the following House bill, which I am instructed to report back to the Senate with the recommendation that the same do pass, as amended, to-wit:

A bill to amend, consolidate and supersede the several Acts incorporating the City of Rome.

The Senate has also had under consideration the following Senate bill, which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to abolish the City Court of Cordele in the county of Crisp.

Respectfully submitted,

JNO. R. IRWIN, Chairman.

Mr. Irwin, Chairman of the Committee on Corporations, submitted the following report:

*Mr President:*

The Committee on Corporations has had under consideration the following House bill, which I am instructed to report back to the Senate with the recommendation that the same do pass, by substitute, to-wit:

A bill to incorporate the City of Glennville in the county of Tatnall.

Respectfully submitted,

JNO. R. IRWIN, Chairman.

Mr. Callaway, Chairman of the Committee on Counties and County Matters, submitted the following report:

*Mr President:* .

The Committee on Counties and County Matters has had under consideration the following bills of the House, and I am instructed to report the same back to the Senate with the recommendation that they do pass, to-wit:

A bill to be entitled an Act to amend an Act to provide for the working of public roads and the building and repairing of bridges in the county of Toombs, and for other purposes.

A bill to be entitled an Act to create a Board of Commissioners of Roads and Revenues for the county of Madison, and for other purposes.

A bill to be entitled an Act to amend the Act creating a Board of County Commissioners for Douglas county, and for other purposes.

Respectfully submitted,

CALLAWAY, Chairman.

Mr. McWilliams, Chairman of the Committee on Education, submitted the following report:

*Mr President:*

The Committee on Education has had under consideration the following bill of the House, and I am instructed to report the same back to the Senate with the recommendation that it do pass as amended.

A bill to be entitled an Act to establish a system of public schools in the town of Hiram in the county of Paulding, and for other purposes.

Respectfully submitted,

McWILLIAMS, Chairman.

The following joint resolution was read and adopted by unanimous consent:

By Mr. Gordy—

A Resolution: Resolved, by the Senate, the House concurring that all bills and resolutions on the calendar and undisposed of at the adjournment of the present session shall go over to the session of 1910 as unfinished business of the present session.

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House has passed by the requisite Constitutional majority the following bills of the House, to-wit:

A bill to create liens for laundrymen.

A bill to require the Commissioners of Roads and Revenues of the county of Dooly to work all public roads within the corporate limits of the municipalities of said county

A bill to amend the Act establishing the City Court of Vienna in and for the county of Dooly

A bill to fix and regulate fees for Justices of the Peace of the Militia Districts of this State within the corporate limits of cities having a population of not less than 54,000, nor more than 80,000 inhabitants.

A bill to repeal the Act creating the City Court of Barnesville, in Pike county

A bill to amend the local Act of 1899, relating to water, light and sewerage of the City of Marietta.

A bill to amend the local Act of 1906, relative to water and lights of the City of Marietta.

A bill to provide a new Charter for the City of Darien.

A bill to amend the Act approved July 30th, 1908, providing a Board of Commissioners of Roads and Revenues for the County of Dooly

A bill to authorize the Trustees of Effingham to use the assets to build and equip a school building at Springfield, Effingham County

A bill to incorporate the town of Five Forks in the County of Madison.

A bill to establish a system of public schools in and for the town of Dallas, in Paulding County

A bill to provide for the establishment of a system of public schools for the City of Darien.

Also,

The House has passed by the requisite Constitutional majority, the following bill of the Senate, to-wit:

A bill to provide a new Charter for the City of Rochelle.

SENATE CHAMBER, ATLANTA, GEORGIA,

AUGUST 3, 1909.

The following message was received from his Excellency the Governor, through his Secretary, Mr. Blackburn:

*Mr President:*

I am directed by his Excellency the Governor, to deliver to the Senate a sealed communication to which he respectfully invites the consideration of your honorable body in Executive session.

Mr. McClure, Chairman of the Committee on Western & Atlantic Railroad, submits the following report:

*Mr President:*

The Committee on Western & Atlantic Railroad has had under consideration the following Senate resolution, and I am instructed to report the same back to the Senate with a recommendation that it do pass, to-wit:

A resolution to authorize the State of Georgia to make an exchange of about six acres of land owned by it in Cobb County, 210 feet from the right of way of the Western & Atlantic Railroad, for an equal amount of land adjoining the right of way of the said railroad under certain conditions, and for other purposes.

Respectfully submitted, .

McCLURE, Chairman.

Mr. Mathews, Chairman of the General Judiciary Committee, submits the following report:



*Mr President:*

The General Judiciary Committee has under consideration the following Senate bill, which I am instructed to report back to the Senate with the recommendation that the same do not pass, to-wit:

A bill to amend the registration law approved August 15, 1908.

Respectfully submitted,

H. A. MATHEWS, Chairman.

Mr. Mathews, Chairman of the General Judiciary Committee, submits the following report:

*Mr President:*

The General Judiciary Committee has had under consideration the following Senate bill, which they instruct me to report back to the Senate with the recommendation that the same do pass, as amended, to-wit:

A bill to authorize verdicts and judgments of the first term of the Superior Courts in this State, and for other purposes.

Respectfully submitted,

H. A. MATHEWS, Chairman.

By unanimous consent, the session of the Senate will be extended from 1 o'clock to 1:30 for the purpose of reading Senate bills first time, reading House bills first time, reading Senate bills second time, reading House bills second time, reading local House bills third time.

By unanimous consent there will be a session of the Senate this afternoon from 3 o'clock to 5 P. M.

The Journal of yesterday was read and approved.

Mr. Longley moved that the Senate reconsider the action of the Senate on Friday in adopting the following resolution:

By Mr. Burwell—

Resolved, That S. G. McLendon be dismissed from the office of Railroad Commissioner of Georgia.

Senator Murray moved the previous question and the motion prevailed, and the main question was ordered.

On the motion to reconsider the ayes and nays were ordered, and the vote is as follows:

Those voting in the affirmative were Messrs:

Calhoun  
Day  
Gordy

Griffith  
Irwin  
King

Longley  
Morris  
Mathews

McLean	McCollum	Price
McDowell	McClure	Slater
McCurry	Patterson	Sellers

Those voting in the negative were Messrs:

Akin	Harrell	Perry
Bowen	Johnson	Pitts
Burwell	Jackson	Rutherford
Blackwell	Kemp	Stevens
Callaway of 10th	Mays	Ward of 5th
Cates	Murray	Womble
Conley	McWilliams	Wood

Those not voting were Messrs:

Callaway of 29th	Rudicil	Mr. President
Harben	Ward of 7th	

Ayes 18; Nays 21.

The motion was lost.

On motion the Senate adjourned until 3 o'clock P M.

The Senate met pursuant to adjournment at 3 o'clock; was called to order by the President.

On motion, the roll was dispensed with.

The unfinished business of yesterday was taken up which is a motion of Mr. Lay to insert into the Journal of yesterday the explanation of Senator Callaway, of 29th, of his vote on the resolution to expel S. G. McLendon from the Railroad Commis-

sion, which was that he voted for the resolution not because of the charges brought by the Governor, but on account of the bond deal.

The previous question was called and sustained, and main question ordered.

On motion, the ayes and nays were ordered and the vote is as follows:

Those voting in the affirmative were Messrs:

Callaway of 29th	King	McCurry
Calhoun	Longley	McCollum
Day	Morris	McClure
Gordy	Mathews	Priece
Griffith	McLean	Slater
Irwin	McDowell	Sellers

Those voting in the negative were Messrs:

Akin	Harrell	Patterson
Bowen	Johnson	Perry
Burwell	Jackson	Pitts
Blackwell	Kemp	Rutherford
Callaway of 10th	Mays	Stevens
Cates	Murray	Womble
Conley	McWilliams	Wood

Those not voting were Messrs:

Harben	Ward of 5th	Mr. President
Rudicil	Ward of 7th	

Ayes 18; Nays 21

The motion was lost.

On the motion of Mr. Burwell to confirm the Journal of Friday, the ayes and nays were called and the vote is as follows:

Those voting in the affirmative were Messrs:

Akin	Harrell	Perry
Bowen	Johnson	Pitts
Burwell	Jackson	Rutherford
Blackwell	Kemp	Stevens
Callaway of 10th	Mays	Womble
Callaway of 29th	Murray	Wood
Cates	McWilliams	
Conley	Patterson	

Those voting in the negative were Messrs:

Calhoun	Longley	McCollum
Day	Morris	Price
Gordy	Mathews	Slater
Griffith	McLean	Sellers
Irwin	McDowell	
King	McCurry	

Those not voting were Messrs:

Harben	Rudicil	Ward of 7th
McClure	Ward of 5th	Mr. President

Ayes 22; Nays 16.

The Journal was confirmed.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House has passed by the requisite Constitutional majority, the following bills of the House, to-wit:

A bill to extend the corporate limits of the village of Summerville, in Richmond County

A bill to authorize the County of McIntosh to issue bonds in a sum not exceeding sixty thousand dollars for improving public roads, etc.

A bill to repeal the Act creating a County Court in each County of the State, so far as the same applies to Pike County

A bill to amend the Charter of the town of Bronwood.

A bill to repeal the Charter of the town of Zebulon, Pike County, Georgia.

A bill to amend the Act incorporating the City of Lawrenceville.

A bill to amend Section 982 of Volume 1 of the Code of Georgia, so as to make Homerville a State Depository

By unanimous consent the following Senate bill was read third time and put upon its passage

By Mr. Blackwell—

A bill to create a new Charter the town of Rutledge, and for other purposes.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 33, nays 0.

The bill having received the requisite Constitutional majority, was passed.

The following Senate bills were read second time:

By Mr. Slaton—

A bill to provide for another Judge of the Superior Court of the Atlanta Judicial Circuit.

By Mr. Calhoun—

A bill to authorize verdicts and judgments at the first term of the Superior Court.

By Mr. Pitts—

A bill to amend Section 4732 of the Code relative to garnishment.

By Mr. Slaton—

A bill to make exchange of about six acres of land belonging to the W & A. Railroad for land adjoining said land in Cobb County, Ga.

By Mr. King—

A bill to abolish the City Court of Cordele.

The following Senate bill was read third time and put upon its passage:

By Mr. Day—

A bill to amend Section 982 of the Code so as to add the town of Jasper to the list of State Depositories.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 33, nays 0.

The bill having received the requisite Constitutional majority, was passed.

The following Senate bills were read first time:

By Mr. McLean—

A bill to amend an Act incorporating the City of Collins, in Tatnall County

Referred to Committee on Special Judiciary



By Mr. McLean—

A bill to authorize Haygan Claxton local school district to issue bonds.

Referred to Committee on Special Judiciary.

By Mr. McLean—

A bill to change the County of Tattnall from the Middle Judicial Circuit to the Atlantic Judicial Circuit.

Referred to Committee on Special Judiciary

By Mr. Slaton, (by request)—

A bill to provide that the seventh and eighth malitial districts by stock fence.

Referred to Committee on Special Judiciary

By Mr. Slater—

A bill to amend Section 936 of the Code.

Referred to Committee on Special Judiciary

By Mr. Cates—

A bill to amend the Charter of the City of Waynesboro so as to create the office of Recorder.

Referred to Committee on Special Judiciary.

By Mr. Stevens—

A bill to incorporate the City of Crawford in the County of Oglethorpe, and for other purposes. Approved February 28, 1876, and to dispose of the property rights and obligations of said town.

Referred to Committee on Corporations.

By Mr. Stevens—

A bill to repeal an Act to incorporate the town of Crawford in the County of Oglethorpe, and for other purposes, approved February 28, 1879.

Referred to Committee on Corporations.

By Mr. Irwin—

A bill to require Ordinaries and County Commissioners to pay costs to officers.

Referred to Committee on General Judiciary

By Mr. King—

A bill to authorize the State Librarian to furnish the various Acts of the General Assembly and all reports of the Supreme and Appellate Courts to the various new Counties.

Referred to Committee on Counties and County Matters.

By Mr. Sellers—

A bill to amend an Act approved December 1, 1897, entitled an Act to establish the City Court of Baxley, in Appling County; to define its jurisdiction and powers; to provide for the appointment of a Judge and other officers thereof, and to define their duties; to provide for pleading and practice and new trials therein and writs of errors therefrom, and for other purposes; and the Act approved August 22, 1905, amendatory thereof, and the several Acts amendatory thereof, so as to change the terms of office of the Judge of said Court.

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Referred to the Military Committee.

The following resolutions were read first time:

By Mr. McCurry—

A resolution to appoint a committee of two from the Senate and five from the House to prepare a uniform road law

This resolution was laid on table.

By Mr. McDowell

A resolution to appoint a Committee of three from the House to call upon the officers of the De-

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partment of the Gulf and to extend to them a cordial welcome to our State.

This resolution was laid upon the table.

The following House bills were read first time:

By Messrs. Tippins and MacIntyre

A bill to create liens for laundrymen, and for other purposes.

Referred to Committee on General Judiciary

By Messrs. Heard and Beacham—

A bill to require the Commissioners of Roads and Revenues of the County of Dooly to work on public road within the corporate limits of the municipalities of said County

Referred to Committee on Corporations.

By Mr. McCarthy—

A bill to fix and regulate fees for Justices of the Peace of the Militia Districts of this State within the corporate limits of cities having a population of not less than 54,000 and not more than 80,000 inhabitants, and for other purposes.

Referred to Committee on General Judiciary

By Mr. Ellis—

A bill to authorize the Mayor and Council of the City of Macon to close and sell certain portions of streets and alleys, and for other purposes.

Referred to Committee on Corporations.

By Messrs. Heard and Beacham—

A bill to amend an Act establishing the City Court of Vienna in and for the County of Dooly, and for other purposes.

Referred to Committee on Counties and County Matters.

By Mr. Helms—

A bill to establish a system of public schools in and for the town of Dallas, Paulding County, State of Georgia, to provide for maintenance of said schools by taxation and otherwise, to erect a Board of School Commissioners for the government of said schools, to authorize the State School Commissioner to pay over to the Treasurer all money due said schools from the State.

Referred to Committee on Education.

By Messrs. Ellis, Evans and Hall—

A bill to regulate salaries of stenographers in Counties having cities between 23,000 and 30,000 inhabitants.

Referred to Committee on General Judiciary

By Mr. Williams—

A bill to incorporate the town of Five Forks in the County of Madison, and for other purposes.

Referred to Committee on Corporations.

By Mr. Redding—

A bill to repeal an Act approved December 19, 1899, creating the City Court of Barnesville, in Pike County, said Act beginning on page 4332 and ending on page 349, and all amendments to said Act.

Referred to Committee on Special Judiciary.

By Mr. Beazley—

A bill to amend an Act to establish the City Court of Leesburg, and for other purposes.

Referred to Committee on Special Judiciary

By Messrs. Moss and Daniel—

A bill to amend local Act of 1899 relating to water, light and sewerage of the City of Marietta, in Cobb County

Referred to Committee on Corporations.

By Messrs. Moss and Daniel—

A bill to amend local Act of 1906 relative to water and lights for the City of Marietta, in the County of Cobb.

Referred to Committee on Corporations.

By Mr. MacFarland—

A bill to provide a new Charter for the City of Darien, superseding all previous Acts, defining its limits and conferring additional power on said corporation, and for other purposes.

Referred to Committee on Corporations.

By Mr. MacFarland—

A bill to provide for the establishment of a system of public schools for the City of Darien, and for other purposes.

Referred to Committee on Corporations.

By Messrs. McConnell and Simpson

A bill to amend Section fifty-two (52) of an Act incorporating the City of Lawrenceville, approved August, 1904, and for other purposes.

Referred to Committee on Corporations.

By Messrs. Wohlwender and Slade—

A bill to amend an Act entitled an Act to establish a City Court in the City of Columbus for Muscogee County, and provide for the appointment of a Judge thereof, and for other purposes, approved December 20, 1884, and the several Acts amendatory thereof, so as to change and fix the salary of the Judge of said Court and provide for the payment thereof, and for other purposes.

Referred to Committee on Special Judiciary

By Messrs. Heard and Beacham—

A bill to be entitled an Act approved July 30, 1908, amending an Act to create a Board of Commissioners of Roads and Revenues for Dooly County

Referred to Committee on Counties and County Matters.



By Mr. Guyton—

A bill to authorize the Trustees of Effingham Academy to use the assets to build and equip a school building at Springfield, Effingham County, and for other purposes.

Referred to Committee on Education.

By Mr. Drawdy—

A bill to amend Section 982 of Volume 1 of the Code of Georgia of 1896, so as to add Homerville, in the County of Clinch, to the list of State Depositories.

Referred to Committee on Banks and Banking.

By Mr. Garlington—

A bill to extend the corporate limits of the village of Summerville, in Richmond County

Referred to Committee on Corporations.

By Mr. MacFarland—

A bill to authorize the County of McIntosh to issue bonds not exceeding the sum of sixty thousand dollars for the construction and improvement of public

roads and bridges in said County, providing for an election for such purposes.

Referred to Committee on Roads and Bridges.

By Mr. Redding—

A bill to repeal an Act entitled an Act to create a County Court in each County in the State of Georgia so far as the same applies to the County of Pike.

Referred to Committee on General Judiciary

By Mr. Redding—

A bill to repeal an Act approved December 22, 1890, to repeal the Charter of Zebulon, Pike County, Georgia.

Referred to Committee on General Judiciary

By Messrs. McConnell and Simpson—

A bill to amend Section three (3) of an Act incorporating the City of Lawrenceville, Ga.

Referred to Committee on Corporations.

By Mr. Marshall—

A bill to amend the Charter of the town of Bronwood.

By Mr. McCuthen—

A bill to repeal, so far as the same effects Heard County, Ga., the road law approved December 24, 1896, and for other purposes.

Referred to Committee on Roads and Bridges.

The following House bills were read third time to be put upon their passage:

By Mr. Brown—

A bill to establish a new Charter for the town of Eton.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Faircloth—

A bill to amend the Act repealing the Act incorporating the town of Wrightsville

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Faircloth—

A bill to prescribe the duties of the Ordinary of Johnson County.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Atkinson—

A bill to incorporate the town of Swords.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Messrs. Hill and Persons—

A bill to amend the Charter of the City of Forsyth.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite Constitutional majority, was passed by substitute.

By Messrs. Edwards and Smith—

A bill to provide for the removal of obstructions from the streams of Walton County.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite Constitutional majority, was passed, as amended, and the amendment is as follows:

1st. By inserting in the caption between the words “them” and “dams” the words “rock and sandbars.”

2nd. By inserting in Section 1 and between the words “that” and all the words as hereinafter provided and by inserting in said Section and between

the words "except" and "dams" the words "rock and sandbars."

3rd. By adding at the end of Section 4 the words "and amount of compensation for removal of obstructions from streams as hereinbefore provided, shall be determined in like manner."

The following House bills were read second time:

By Mr. Allen—

A bill to repeal an Act incorporating the village of East Thomaston.

By Mr. Roberts—

A bill to amend an Act incorporating the City of Eastman in the County of Dodge, approved August 22nd, 1907, to define the limits of said City of Eastman.

By Mr. Rentz—

A bill to incorporate the town of Grovania, Houston County, to define its limits, confer municipalities' powers and privileges upon it.

By Mr. Meadows—

A bill to amend an Act to provide for the working

of public roads and the buildings and repairing of bridges in the County of Toombs.

By Messrs. Brinson and Parker—

A bill to amend an Act incorporating the town of Brinson, in Decatur County

By Mr. Gastley--

A bill to amend the Charter of the City of Clarksville so as to authorize the Mayor and Councilmen to compel property owners to build sidewalks.

By Mr. Brown—

A bill to establish a new Charter for the town of Tennega.

By Messrs. Heard and Beacham—

A bill to amend an Act incorporating the town of Unadilla, Ga., approved December 24, 1890.

By Mr. Barrett—

A bill to extend the corporate limits of the town of Martin.

By Mr. Field—

A bill to amend the Act amending, consolidating and revising the several Acts granting corporate authority to the town of Lithonia.

By Mr. Upshaw—

A bill to amend the Act creating a Board of County Commissioners for Douglas County

By Mr. Ellison—

A bill to repeal an Act establishing the City Court of Hamilton.

By Mr. Williams—

A bill to create a Board of Commissioners of Roads and Revenues for the County of Madison.

By Messrs. Kennedy and Smith—

A bill to incorporate the City of Glennville, Tattnall County, Ga.

By Mr. Edmondson—

A bill to create and incorporate the City of Summerville in lieu of the town of Summerville.



By Messrs. Moss and Daniel—

A bill to authorize the Mayor and Council of the town of Roswell, in Cobb County, to issue bonds.

By Mr. Williams—

A bill to repeal an Act entitled an Act to establish the City Court of Danielsville.

By Mr. Faircloth—

A bill to amend an Act establishing the City Court of Wrightsville, in Johnson County.

By Mr. Helms—

A bill to establish a system of public schools in the town of Hiram in the County of Paulding.

By Mr. Meadows—

A bill to provide for two weeks' session of Superior Court of Toombs County, to validate traverse jurors drawn for August, 1909, term of this Court.

By Messrs. Adams and Carter—

A bill to amend an Act entitled an Act to establish and create a charter for the town of Gillsville, in Hall and Banks County

By Messrs. Anderson and Simmons—

A bill to amend the Act establishing the City Court of Statesboro.

By Messrs. Holder, Porter and Wright—

A bill to amend, consolidate and supersede the several Acts incorporating the City of Rome.

The following resolution was read first time:•

By Mr. Gordy

A resolution. Resolved, That Congress shall have power to levy and collect taxes on incomes from whatever source desired without apportionment among the several States.

Resolved further, That said amendment be and the same is hereby ratified by the General Assembly of Georgia.

Referred to Committee on General Judiciary

By Mr. Jackson

A resolution authorizing Congress to levy and

collect income tax from whatever source desired without apportionment among the several States.

Referred to Committee on General Judiciary

On motion, the Senate adjourned until tomorrow morning at 10 o'clock.

## SENATE CHAMBER, ATLANTA, GEORGIA,

WEDNESDAY, AUGUST 4, 1909.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Akin	Irwin	McCollum
Bowen	Johnson	McClure
Burwell	Jackson	Patterson
Blackwell	Kemp	Price
Callaway of 10th	King	Perry
Callaway of 29th	Longley	Pitts
Calhoun	Mays	Rutherford
Cates	Murray	Slater
Conley	Morris	Sellers
Day	Mathews	Stevens
Gordy	McLean	Ward of 5th
Griffith	McDowell	Womble
Harrell	McCurry	Wood
Harben	McWilliams	Mr. President

Those absent were Messrs:

Rudicil	Ward of 7th
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Mr. Perry gave notice that at the proper time he would move to reconsider the action of the Senate in referring the Jackson resolution relative to tax on incomes to the General Judiciary Committee.

The Journal of yesterday was read and approved.

A bill to amend the school laws of the City of Moultrie.

A bill to repeal an Act incorporating the town of Piedmont, in Pike County

A bill to amend an Act establishing the City Court of LaGrange.

A bill to abolish the County Court of Jeff Davis County

A bill to annually levy and collect a tax for the support of the State Government and for the public institutions of educational purposes, etc.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House has passed, by the requisite Constitutional majority, the following bills of the House, to-wit:

A bill to increase the number of terms of the Superior Court of Richmond County

A bill to change the time of holding the Superior Court of Dodge County

A bill to prohibit fishing in Little Tennessee River and its tributaries in Rabun County, Ga.

A bill to amend the Act incorporating the town of Sparks, in Berrien County

A bill to incorporate the Waresboro School District.

A bill to amend Section 982 of Volume 1 of the Code of 1895, so as to add Chipley, in Harris County, to the list of State Depositories.

A bill to provide a new Charter for the City of Waycross, in the County of Ware.

The following House bills were read first time:

By Mr. Reid—

A bill to levy and collect taxes for the support and maintenance of the State Government for the years 1910 and 1911.

Referred to the Committee on Finance.

By Mr. Miller—

A bill to provide and establish a new Charter for the City of Waycross.

Referred to Committee on General Judiciary

By Mr. Johnson—

A bill to abolish the County Court of Jeff Davis County

Referred to Committee on General Judiciary

By Mr. Ellison—

A bill to amend Section 982, Volume 1, of Code of 1895 so as to add Chipley, in Harris County, to the list of State Depositories.

Referred to Committee on Banks and Banking.

By Mr. Cannon—

A bill to prohibit fishing in Little Tennessee River and its tributaries in Rabun County, Georgia, in any other way than with hook and line.

Referred to Committee on General Agriculture.

By Mr. Walters—

A bill to amend the school laws of the City of Moultrie.

Referred to Committee on Education.

By Mr. Redding--

A bill to repeal an Act incorporating the town of Piedmont.

Referred to Committee on Corporations.

By Mr. Garlington—

A bill to increase the number of terms of the Superior Court of Richmond County

Referred to Committee on General Judiciary

By Mr. Tuggle—

A bill to amend the Act amending the Act approved December 19, 1899, establishing the City Court of LaGrange.

Referred to Committee on Special Judiciary

By Mr. Mills—

A bill to incorporate the Waresboro School District in Ware County

Referred to Committee on Education.



By Mr. Paulk—

A bill to amend the Act incorporating the town of Sparks, Berrien County, Georgia.

Referred to Committee on Corporations.

By Mr. Roberts—

A bill to change the time of holding the Superior Court of Dodge County, in the Oconee Circuit.

Referred to Committee on General Judiciary

One hundred copies of the General Tax Act was ordered printed for the use of the Senate.

By unanimous consent, the following Senate bill was read third time and put upon its passage:

By Mr. Slater—

A bill to provide for the selection of an additional Judge of the Superior Court of the Atlanta Circuit.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 35, nays 0.

The bill having received the requisite Constitutional majority, was passed and ordered immediately transmitted to the House.

The following resolution was read and referred to the Committee on Rules:

By Mr. Rutherford -

A resolution that Senate Bill No. 101 be set for special and continuing order today at 11 o'clock.

By unanimous consent, the following Senate bill was withdrawn from the Railroad Committee, read second time, and recommitted:

By Mr. Womble -

A bill requiring street railway companies to furnish separate cars for whites and blacks.

By unaniomus consent the following House bill was read third time and put upon its passage:

By Messrs. Holder, Porter and Wright—

A bill to amend, consolidate and supersede the several Acts incorporating the City of Rome

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite Constitutional majority, was passed, as amended, and the amendments are as follows:

Amend Section 83 by inserting in the last line of said Section after the words "first election" and before the words "shall be held," the words "of teachers," and by inserting at the end of said Section after the figures "1910" and before the final period the words "and the first election of a Superintendent shall be held in June 1911."

By unanimous consent, the following Senate bill was taken up with House amendments and the amendments were concurred in.

By Mr. Akin—

A bill to authorize the County of Glenn to issue bonds not to exceed \$100,000 for the construction and improvement of public roads.

The amendments are as follows:

Amend Section 44 by adding at the end of said Section the following: "Provided, that if the General Assembly should, prior to the date of holding such election, enact a general law fixing the qualification of voters for special elections such as herein authorized, then the provisions of such general law shall be held applicable to the election for which provision is herein made, and said election shall be held in conformity to such general law."

*Mr President:*

The Committee on Rules has had under consideration the following resolution which I am directed to report back with a recommendation that the same do pass:

Resolved. That Senate Bill No. 101 be set for special and continuing order today at 11 o'clock.

BURWELL, Acting Chairman,

Committee on Rules.

Mr Callaway, Chairman of the Committee on Counties and County Matters, submitted the following report:

*Mr President:*

The Committee on Counties and County Matters has had under consideration the following House bills and I am instructed to report the same back to the Senate with the recommendation that they do pass, to-wit:

A bill to be entitled an Act to abolish the City Court of Ashburn and to repeal the Act of August 21st, 1906, establishing the same.

A bill to be entitled an Act to amend an Act approved August 14, 1908, establishing an Act to create

a Board of Commissioners of Roads and Revenues and for other purposes.

Respectfully submitted,

R. D. CALLAWAY, Chairman.

Mr. McCurry, Chairman of the Committee on Military Affairs, submits the following report:

*Mr President:*

The Committee on Military Affairs has had under consideration the following Senate bill which they instruct me to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to amend an Act to establish the City Court of Baxley, in Appling County

Respectfully submitted,

JULIAN B. MCCURRY, Chairman.

Mr. Irwin, Chairman of the Committee on Corporations, submits the follow report:

*Mr President:*

The Committee on Corporations has had under consideration the following bill of the Senate, which

they instruct me to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to amend the Charter of the Mayor and Council of the City of Shellman.

Respectfully submitted,

JNO. R. IRWIN, Chairman.

Mr Irwin, Chairman of the Corporation Committee, submits the followin report:

*Mr. President:*

The Committee on Corporations have had under consideration the following House bills which they instruct me to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to amend the Charter of the town of Bronwood.

A bill to amend an Act establishing the City Court of Vienna in and for the County of Dooly

A bill to authorize the Mayor and Council of Macon to close and sell certain parts of streets and alleys.

A bill to incorporate the town of Five Forks, in the County of Madison.

A bill to provide for the establishment of a system of public schools for the City of Darien.

A bill to extend the corporate limits of the village of Summerville, in Richmond County

A bill to provide a new Charter for the City of Darien.

A bill to amend Section 3 of an Act incorporating the City of Lawrenceville.

A bill to amend Section fifty-two (52) of an Act incorporating the City of Lawrenceville.

A bill to amend local Act of 1906 relative to water and lights for the City of Marietta.

A bill to amend local Act of 1899 relative to water, lights and sewerage for the City of Marietta.

Respectfully submitted,

JNO. R. IRWIN, Chairman.

Mr. Patterson, Chairman of the Committee on Engrossing, submitted the following report:

*Mr. President:*

The Committee on Engrossing have examined and found properly engrossed and ready for transmission to the House, the following resolution, to-wit:

A resolution providing for carrying over to the session of 1910 all bills, resolutions, etc., undisposed of at the present session of the General Assembly

Respectfully submitted,

L. F. PATTERSON, Chairman.

Mr. Patterson, Chairman of the Committee on Engrossing, submitted the following report:

*Mr. President:*

The Committee on Engrossing have examined and found properly engrossed and ready for transmission to the House of Representatives, the following bills, to-wit:

A bill to add the town of Jasper, in the County of Pickens, to the list of State Depositories.

A bill to create a new Charter for the town of Rutledge.

Respectfully submitted,

L. F. PATTERSON, Chairman.

The following resolution was taken up:

By Mr. Rutherford

Resolved, That Senate Bill No. 101 be taken up



at 11 o'clock for the purpose of putting on its passage

Upon the adoption of this resolution, the ayes and nays were ordered, and the vote is as follows:

Those voting in the affirmative were Messrs:

Akin	Harben	McDowell
Bowen	Irwin	McCurry
Burwell	Johnson	McWilliams
Blackwell	Jackson	McClure
Callaway of 10th	King	Patterson
Callaway of 29th	Longley	Price
Calhoun	Mays	Rutherford
Cates	Murray	Slater
Conley	Morris	Ward of 5th
Day	Mathews	Womble
Griffith	McLean	Wood

Those voting in the negative were Messrs:

Harrell	Perry	Sellers
Kemp		

Those not voting were Messrs:

Gordy	Rudieil	• Mr. President
McCollum	Stevens	
Pitts	Ward of 7th	

Ayes 33; Nays 4.

The resolution was adopted.

By unanimous consent, the session of the Senate is to be extended from 1 to 2 o'clock today for the purpose of considering general bills.

The following Senate bill was read third time to be put upon its passage:

By Mr. Rutherford (by request)—

A bill to authorize railroad companies of this State to condemn property for certain purposes.

On motion this bill was recommitted to the General Judiciary Committee.

Mr. Womble, Chairman of the Special Judiciary Committee, submitted the following report, to-wit:

*Mr. President:*

The Committee on Special Judiciary have had under consideration the following Senate bills which they instruct me to report the same back to the Senate with the recommendation that they do pass:

A bill No. 151. An Act to transfer the County of Tattnall from the Middle Judicial Circuit of Georgia to the Atlanta Judicial Circuit of Georgia.

A bill No. 152. An Act to amend Section 936, Volume 1, Code of Georgia.

A bill No. 153. An Act authorizing the separation of the seventh and eighth Militia Districts of Chatham County for erection of a stock fence.

A bill No. 154. An Act to amend the Charter of the City of Waynesboro so as to create the office of Recorder.

The Committee have also had under consideration the following House bills which they instruct me to report back to the Senate with the recommendation that they do pass:

A bill No. 483. An Act to repeal an Act creating the City Court of Barnesville, Pike County

A bill No. 508. An Act to amend an Act establishing the City Court of Leesburg.

A bill No. 546. An Act amending an Act establishing the City Court of Columbus providing for the appointment of a Judge thereof, and for other purposes.

Respectfully submitted,

M. D. WOMBLE, Chairman.

Mr. Patterson, Chairman of the Committee on Engrossing, submitted the following report:

*Mr President:*

The Committee on Engrossing have examined and found properly engrossed and ready for transmission to the House of Representatives, the following bill, to-wit:

A bill to provide for another Judge of the Atlanta Judicial Circuit.

Respectfully submitted,

L. F. PATTERSON, Chairman.

SENATE CHAMBER, ATLANTA, GEORGIA,

AUGUST 4, 1909.

The following message was received from his Excellency the Governor, through his Secretary, Mr. Blackburn:

*Mr President:*

I am directed by his Excellency the Governor, to deliver to the General Assembly a communication in writing.

By unanimous consent, the following Senate bill was taken up, read third time, and put upon its passage:

By Mr Jackson——

A bill to provide for pleading and practice in County Courts of this State to provide for trial by jury in civil cases.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite Constitutional majority, was passed, as amended, and the amendments are as follows:

Amend by adding immediately after the words "Superior Court" in the second line of Section 5 the words "except by certiorari."

The following resolution was adopted:

By Mr. Sellers—

A resolution convening the Senate at 9 o'clock tomorrow morning.

By unanimous consent, the following bill of the House was taken up with House amendment to Senate amendment and the House amendment was concurred in:

By Messrs. McMahan and Slade—

A bill to permit street railway company to grant free transportation to policemen and firemen.

The following is the amendment concurred in:

Amend the amendment to caption by adding after

the word "deputies" in said amendment to caption the words and "County police officers."

By unanimous consent the following Senate bills were read first time:

By Mr. King—

A bill to establish the City Court of Cordele in and for the County of Crisp.

Referred to Committee on Corporations.

By Mr. King—

A bill to amend the Act establishing the City Court of Abbeville, in Wilcox County

Referred to Committee on Corporations.

Mr. Mathews, Chairman of the General Judiciary Committee, submits the following report:

*Mr. President:*

The General Judiciary Committee has had under consideration the following Senate bill, which I am instructed to report back to the Senate with the recommendation that the same do pass by substitute, to-wit:

A bill to authorize railroad companies in this State to condemn property on certain conditions and for certain purposes.

Respectfully submittd,

H. A. MATHEWS, Chairman.

Mr Perry moved to réconsider the action of the Senate in referring the following resolution to the General Judiciary Committee on vesterday:

By Mr. Jackson—

A resolution. Resolved, That the Senate and House of Representatives that the amendment to the Constitution of the United States be and the same is hereby ratified placing an income tax on corporations and individuals.

On the motion to reconsider the pervious question was called and sustained and main question ordered.

The motion to reconsider the action of the Senate was adopted.

The following invitation was accepted by rising vote:

HON JULIAN McCURRY, President pro tem of Senate.

Dear Sir:—I desire to invite the Senate, its officers, their associates and the gentlemen of the

press engaged in reporting its deliberations, to a barbecue to be given in honor of the General Assembly. The barbecue will be given on Saturday, August 7th, and cars will be at the Mitchell Street entrance at 1 o'clock.

JOHN M. SLATON

By unanimous consent, the following Senate bill was read third time and put upon its passage:

By Mr. Callaway—

A bill to fix the salary of the stenographer in the office of Attorney General.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 30, nays 1.

The bill having received the requisite Constitutional majority, was passed.

By unanimous consent the following Senate bills were read second time:

By Mr. Stevens—

A bill to repeal the Act incorporating the town of Crawford.



By Mr. Sellers—

A bill to amend the Act establishing the City Court of Baxley

By Mr. Stevens —

A bill to repeal the Act incorporating the town of Crawford.

By Mr. Cates—

A bill to amend the Charter of the City of Waynesboro so as to create the office of Recorder.

By Mr. Irwin—

A bill to amend the Charter of the Mayor and Council of the City of Shellman.

The following House bills were read second time:

By Mr. Beazley—

A bill to amend an Act establishing a City Court of Leesburg.

By Mr. Henderson—

A bill to abolish the City Court of Ashburn.

The following resolution was adopted:

By Mr. King—

Resolved, That the sympathies of the Senate be extended Senators Word, of 7th, and Rudick, of 42nd, in their severe illness, and that they be excused for the remainder of this session.

The following House bills were read third time and put upon their passage:

By Messrs. Adams, Carter, Hardeman, Holder and Wood—

A bill to amend an Act to establish and create a Charter for the town of Gillsville, in Hall and Banks Counties.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Meadows—

A bill to provide for two weeks' session of the Superior Court of Toombs County

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Meadows—

A bill to amend the Act providing for the working of public roads and repairing of bridges in Toombs County

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Helms—

A bill to establish a system of public schools in the town of Hiram.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 32, nays 0.

The bill having received the requisite Constitutional majority, was passed, as amended.

Amended by striking from Section 6 the following:

Said Board of Commissioners may admit indigent children, resident within the town, to the schools on such terms as they may prescribe, and may in their discretion relieve them entirely of the entrance fee or tuition.

By Mr. Allen—

A bill to repeal the Act incorporating the town of East Thomaston.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Ellison—

A bill to repeal an Act establishing the City Court of Hamilton.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite Constitutional majority, was passed.

The following House bill was read second time :

By Mr. Garlington—

A bill to extend the corporate limits of the village of Summerville.

The following Senate bill was read third time and put upon its passage :

By Mr. Gordy—

A bill to fix the compensation of Ordinaries of this State for collecting and paying pensions to Confederate veterans.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 31, nays 0.

The bill having received the requisite Constitutional majority, was passed.

On motion the Senate adjourned until tomorrow at 10 o'clock.

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## SENATE CHAMBER, ATLANTA, GEORGIA,

THURSDAY, AUGUST 5, 1909.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Akin	Irwin	McCollum
Bowen	Johnson	McClure
Burwell	Jackson	Patterson
Blackwell	Kemp	Price
Callaway of 10th	King	Perry
Callaway of 29th	Longley	Pitts
Calhoun	Mays	Rutherford
Cates	Murray	Slater
Conley	Morris	Sellers
Day	Mathews	Stevens
Gordy	McLean	Ward of 5th
Griffith	McDowell	Womble
Harrell	McCurry	Wood
Harben	McWilliams	Mr. President

Those absent were Messrs.:

Rudicil	Ward of 7th
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The Journal of yesterday was read and approved.

By unanimous consent the following House bill was withdrawn from the Finance Committee read second time and recommitted:

By Mr. Reid—

A bill to levy and collect taxes for the support and maintenance of the State Government for the years 1910 and 1911.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House has passed, by the requisite Constitutional majority, the following bills of the House, to-wit:

A bill to provide that the funds arising from the license tax on imitations or substitutes for beer, ale, wine, whiskey or other spirituous or malt liquors shall be made available for meeting the general expenses of the State.

A bill to repeal the Act incorporating the town of Oakland City, in the County of Fulton.

A bill to define water lot No. 19 in the City of Columbus, Muscogee County

A bill to establish a system of Public Schools in the City of McDonough.

A bill to amend a new Charter for the City of Jeffersonville, in the County of Twiggs.

A bill to direct the County Commissioners of Bibb County to pay certain attorney's fees.

A bill to abolish the City Court of Hazlehurst, in and for the County of Jeff Davis.

A bill to establish a new Charter of the City of Atlanta, and the several Acts amendatory thereof.

A bill to amend the Charter of the town of Calhoun, in Gordon County

A bill to appropriate \$10,000 to the State Board of Entomology for 1909 1910 to be used in experimental work on Black Root or Wilt disease of cotton.

A bill to amend the Charter of Cairo, Ga.

A bill to amend Section 982 of Volume 1 of the Code of 1895, so as to make Summerville, in Chattooga County, a State Depository

A bill to amend the Act establishing a new Charter for the town of Calhoun, in Gordon County

A bill to authorize the County authorities in all Counties in this State having a city with a population of not less than 54,000 nor more than 75,000 to raise by taxation for educational purposes, certain sums.

A bill to amend an Act establishing a new Charter for the City of Dublin.



A bill to repeal an Act creating a Board of Commissioners of Roads and Revenues in the County of Butts.

A bill to amend the Act establishing the City Court of Fitzgerald.

A bill to amend the Act of September 21, 1887, fixing the time of adjournment of Superior and City Courts in the State of Georgia.

A bill to amend the Act establishing the City Court of Sylvania.

A bill to create a Board of Roads and Revenues in the County of Stewart.

A bill to levy a tax to raise a sinking fund to pay off and retire the valid bonds of the State as they mature.

A bill to regulate the running of automobiles and other motor vehicles on the public roads of the County of Bartow.

A bill to incorporate the City of Manchester, in the Counties of Meriwether and Talbot.

A bill to amend, consolidate, and supersede the several Acts incorporating the town of Decatur, in DeKalb County.

A bill to fix and regulate fees for Constables of Militia Districts of this State which are located in

cities having populations of not less than 54,000 nor more than 80,000 inhabitants.

Also,

The House has adopted the following resolution of the House, to-wit:

A resolution to provide for visiting convict camps.

Also, the House has passed by the requisite Constitutional majority the following bills of the Senate, to-wit:

A bill to repeal the Act establishing the City Court of Dawson in and for the county of Terrell.

A bill to provide for holding three terms a year of the Superior Courts of Montgomery county

The following communication was ordered placed upon the Journal.

#### PROTEST IN RELATION TO THE McLENDON MATTER.

We, the undersigned Senators, respectfully and courteously and without reflecting on the motives of others, desire to enter our protest against the resolution removing Honorable S. G. McLendon from office of railroad commissioner, and for grounds of protest say:

First. Because Commissioner McLendon was duly elected by the qualified electors of Georgia and commissioned for a definite time railroad commissioner, and can not be removed from his office except by articles of impeachment by the House of Representatives and a judicial conviction by the Senate as provided by the constitution of this State.

Second. Because the resolution removing the commissioner is a legislative Act inflicting punishment for past conduct, without a judicial trial, in our opinion is a bill of attainder prohibited by the Constitution of the United States and of this State.

Third. Because the Act under which the governor suspended the commissioner does not provide for any notice to him, neither does it provide for any procedure whereby he could make his defense, and the resolution deposing the commissioner without a judicial trial is unconstitutional, null and void. With the exception of the five Senators of the joint committee, the other Senators did not hear the witnesses testify, the Senators were not put on oath to try him, he was not permitted to appear before the Senate and make his defense. The governor gave certain reasons for the suspension, but on the vote of the Senate, the Senator from the 29th, in casting his vote did so with the proviso that he was voting for the removal of Mr. McLendon on account of the street railroad bonds and not for the reasons given by the governor, therefore there were only twenty-

two votes for the removal, lacking one vote to carry the resolution on the reasons given by the governor; and we protest against the action of the Senate refusing to allow the Journal to be corrected so as to show the Senator from the 29th did not vote for the resolution of removal for the reasons given by the Governor.

Fourth. That while the General Assembly may perhaps abolish the office of the railroad commission, it is vigorously denied that it can abolish a commissioner and at the same time, leave the office intact. We do not believe the commissioner has acted other than in honest good faith, violating no law, or doing anything worthy of removal.

Fifth. Because the Constitution of this State, Article 4, Section 2, Paragraph 1, provides that "the power and authority of regulating railroad freight and passenger traffic are conferred upon the General Assembly" and because in pursuance of this duty and power, the railroad commission of Georgia was created by the legislature. And because the Constitution, Article 1, Paragraph 23, provides that the legislative, judicial and executive powers forever remain separate and distinct, and no power discharging the functions of one, shall at the same time exercise the functions of either of the others, except as provided in the Constitution.

And because the reasons for suspension of S. G. McLendon, a railroad commissioner, given by the

governor related to votes of the commission in reference to fixing freight rates, a matter absolutely outside of the rights, powers or duties of the executive department of this State, and because the action of the governor in suspending the said commissioner for said reasons was a dangerous assumption by the executive department of the powers and duties expressly denied to said department.

For these reasons we do solemnly protest against the resolution of removal as a bill of attainder, as unconstitutional, null and void.

F M. LONGLEY, 37th district.  
E. S. GRIFFITH, 38th district.  
J L. McLEAN, 2d district.  
W F SLATER, 1st district.  
M. B. CALHOUN, 15th dist.  
JOHN T. KING, 14th district.  
J R. McCOLLUM, 36th dist.  
W S. MORRIS, 18th district.  
JULIAN B. McCURRY, 31st dist.  
T. B. McDOWELL, 9th dist.  
F M. GORDY, 24th district.  
H. A. MATHEWS, 23d district.  
L. F PATTERSON, 8th dist.  
W T. DAY, 41st district.  
A. V SELLERS, 3d district.  
J N. McCLURE, 39th dist.  
J D. PRICE, 27th district.

Mr. Burwell, Acting Chairman of the Committee on Rules, submits the following report:

*Mr. President:*

The Committee on Rules submits the following as the order of business until otherwise changed:

Resolved, That for this day, August 5th, the session of the Senate be extended to 1:30 o'clock p. m., for the purpose of reading Senate and House local bills and general bills with local application first, second and third time.

Resolved, further, That after this day the sessions of the Senate, until further ordered, be extended till two o'clock p. m., each day, the first 30 minutes, or so much as may be necessary after confirmation of the Journal to be for reading Senate and House local bills and general bills with local application first, second and third time.

Resolved, That the calendar of bills to be considered by the Senate, which bills are made the special and continuing order following consecutively as below set out shall be as follows:

1. Senate Bill No. 101.
2. Senate Bill No. 118.
3. Senate Bill No. 42.

4. House Bill No. 101.
5. Senate Resolution No. 23.
6. House Bill No. 20.

Resolved, further, That in consideration of the tax Act and General Appropriation Bill, no Senator be allowed to debate any question longer than 5 minutes and, on the call of the roll, no Senator shall have more than 3 minutes to explain his vote.

Respectfully submitted,

W. H. BURWELL, Acting Chairman.

By unanimous consent the following House bill was read 3d time and put upon its passage.

By Mr. Faircloth—

A bill to amend the Act establishing the City Court of Wrightsville.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 36, nays 0.

The bill having received the requisite Constitutional majority was passed.

ATLANTA, GA., AUGUST 5, 1909.

The following message was received from His Excellency the Governor, through his Secretary, Mr Blackburn:

*Mr. President:*

-

I am directed by His Excellency the Governor to deliver to the Senate a sealed communication to which he respectfully requests the consideration of your honorable body in executive session.

By unanimous consent Senator Gordy's name was added to the resolution offered by Senator Jackson, relative to the amendment proposed to the Constitution of the United States relative to tax on incomes.

Mr Perry offered the following amendments to the report of the Committee on Rules:

Amend by making the resolution offered by Senator Jackson, relative to amendment to the Constitution of the United States to levy an income tax, be made special and continuing order until disposed of before any other bills are taken up.

On this amendment the ayes and nays were ordered, and the vote is as follows:

•



Those voting in the affirmative were Messrs:

Jackson

Perry

Those voting in the negative were Messrs:

Akin

Irwin

McClure

Bowen

Johnson

Patterson

Burwell

Kemp

Price

Blackwell

King

Pitts

Callaway of 10th

Longley

Rutherford

Callaway of 29th

Mays

Slater

Calhoun

Murray

Sellers

Cates

Morris

Stevens

Conley

Mathews

Ward of 5th

Day

McLean

Womble

Griffith

McCurry

Wood

Harrell

McWilliams

Harben

McCollum

Those not voting were Messrs:

Gordy

Rudieil

Mr. President

McDowell

Ward of 7th

Ayes 2; Nays 32.

The amendment was lost.

The following Senate bill was read third time, and put upon its passage:

By Mr. Rutherford—

A bill to authorize railroad companies to condemn property for the purpose of straightening and laying spur tracks, and for other purposes.

Mr. Perry moved that 100 copies be printed for the use of the Senate, this motion was lost.

Mr. Harrell moved to postpone the consideration of this bill until tomorrow morning at 10 o'clock.

On this motion the ayes and nays were ordered, and the vote is as follows:

Those voting in the affirmative were Messrs:

Cates	Harben	McCollum
Gordy	Kemp	Perry
Harrell	Murray	Ward of 5th

Those voting in the negative were Messrs:

Akin	Irwin	McWilliams
Burwell	Johnson	Patterson
Blackwell	King	Price
Callaway of 10th	Longley	Pitts
Callaway of 29th	Mays	Rutherford
Calhoun	Morris	Slater
Conley	Mathews	Stevens
Day	McLean	Womble
Griffith	McCurry	Wood

Those not voting were Messrs:

Bowen	McClure	Ward of 7th
Jackson	Rudieil	Mr. President
McDowell	Sellers	

Ayes 9; Nays 26.

The motion was lost.

Mr. Blackwell offers the following amendment:

Amend Section 1st by adding: Provided, That no railroad company shall under the powers given in this Act have the right to extend its line or lay any track through or into any incorporated town or city without the consent of mayor and council or the corporate authorities.

Those voting in the affirmative were Messrs:

Akin	Harben	McCollum
Bowen	Irwin	McClure
Burwell	Jackson	Patterson
Blackwell	Kemp	Perry
Callaway of 10th	King	Pitts
Callaway of 29th	Longley	Rutherford
Calhoun	Mays	Slater
Cates	Murray	Stevens
Conley	Morris	Ward of 5th
Day	Mathews	Womble
Gordy	McLean	Wood
Griffith	McCurry	
Harrell	McWilliams	

Those not voting were Messrs:

Johnson	Rudicil	Mr. President
McDowell	Sellers	
Price	Ward of 7th	

Ayes 37; Nays 0.

The amendment was adopted.

Mr. Perry offers the following amendment:

Amend by adding to Section 1 the following:

Provided, That no railroad company shall exercise any power given in this Act except upon condition that said corporation shall thereafter hold its Charter subject to the provisions of the present Constitution of Georgia.

Those voting in the affirmative were Messrs:

Cates	Jackson	Perry
Harrell	Kemp	Ward of 5th
Harben	Patterson	

Those voting in the negative were Messrs:

Akin	Griffith	McWilliams
Bowen	Irwin	McCollum
Burwell	King	McClure
Blackwell	Longley	Price
Callaway of 10th	Mays	Pitts
Callaway of 29th	Murray	Rutherford
Calhoun	Morris	Stevens
Conley	McLean	Womble
Day	McCurry	Wood

Those not voting were Messrs:

Gordy	McDowell	Sellers
Johnson	Rudicil	Ward of 7th
Mathews	Slater	Mr. President

Ayes 8; Nays 27

This amendment was lost.

Mr Harrell offered the following amendment:

Amend by striking from the 2d Section of the

substitute immediately after the word station in the 7th line of said Section the words “without the express approval of the Railroad Commission of Georgia.”

Those voting in the affirmative were Messrs:

Conley	Jackson	Pitts
Harrell	Kemp	Stevens
Harben	Perry	Ward of 5th

Those voting in the negative were Messrs:

Akin	Griffith	McWilliams
Bowen	Irwin	McClure
Burwell	King	Patterson
Blackwell	Longley	Price
Callaway of 10th	Murray	Rutherford
Callaway of 29th	Morris	Slater
Calhoun	Mathews	Wood
Cates	McLean	Womble
Day	McCurry	

Those not voting were Messrs:

Gordy	McDowell	Sellers
Johnson	McCollum	Ward of 7th
Mays	Rudieil	Mr. President

Ayes 9; Nays 26.

This amendment was lost.

Upon agreeing to the report of the Committee that this bill be passed by substitute, the ayes and nays were ordered and the vote is as follows:

Those voting in the affirmative were Messrs:

Akin	Harben	McWilliams
Bowen	Irwin	McCollum
Burwell	King	McClure
Blackwell	Longley	Patterson
Calloway of 10th	Mays	Price
Callaway of 29th	Murray	Pitts
Calhoun	Morris	Rutherford
Conley	Mathews	Slater
Day	McLean	Stevens
Griffith	McCurry	Wood

Those voting in the negative were Messrs:

Cates	Kemp	Womble
Harrell	Perry	
Jackson	Ward of 5th	

Those not voting were Messrs:

Gordy	Rudicil	Mr. President
Johnson	Sellers	
McDowell	Ward of 7th	

Ayes 30; Nays 7

Report of the Committee was agreed to.

Upon the passage of the bill by substitute as amended the ayes and nays were ordered, and the vote is as follows:

Those voting in the affirmative were Messrs:

Akin	Blackwell	Calhoun
Bowen	Calloway of 10th	Conley
Burwell	Callaway of 29th	Day

Griffith	Morris	Patterson
Harben	Mathews	Price
Irwin	McLean	Rutherford
King	McCurry	Slater
Longley	McWilliams	Stevens
Mays	McCollum	Wood
Murray	McClure	

Those voting in the negative were Messrs:

Gates	Jackson	Perry
Harrell	Kemp	Womble

Those not voting were Messrs:

Gordy	Pitts	Ward of 5th
Johnson	Rudicil	Ward of 7th
McDowell	Sellers	Mr. President

Ayes 29; Nays 6.

The bill having received the requisite Constitutional majority was passed by substitute as amended.

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has passed by the requisite Constitutional majority the following bills of the House, to-wit:

A bill to incorporate the City of Pepperton.

A bill to create and incorporate the City of Edison in lieu of the town of Edison.

A bill to repeal the Act incorporating the town of Milwood in the county of Ware.

A bill to amend the Charter of the town of Tennesse in Washington county

A bill to authorize the town of Wrens to establish a system of public schools.

A bill to make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State.

Mr. Mathews, Chairman of the General Judiciary Committee, submits the following report:

*Mr. President:*

The General Judiciary Committee has had under consideration the following bill of the Senate which I am instructed to report back to the Senate with the recommendation that they "do pass," to-wit:

A bill to preserve benevolent, fraternal, social, humane or charitable organizations, which are not organized for individual pecuniary gain, the right to the exclusive use of the names adopted and used by them, and for other purposes.



The Committee has also had under consideration the following bill of the House, which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to abolish the County Court of Jeff Davis county, and for other purposes.

The Committee has also had under consideration the following bill of the House, which I am instructed to report back to the Senate with the recommendation that the same do pass as amended, to-wit:

A bill to provide and establish a new Charter for the City of Waveross in the county of Ware, and for other purposes.

Respectfully submitted,

H. A. MATHEWS, Chairman.

Mr McWilliams, Chairman of the Committee on Education, submitted the following report:

*Mr President:*

The Committee on Education has had under consideration the following bill of the House and I am instructed to report the same back to the Senate with recommendation that it do pass as amended.

A bill to be entitled an Act to amend the Charter of the City of LaFayette, and for other purposes.

Respectfully submitted,

McWILLIAMS, Chairman.

Mr. McWilliams, Chairman of the Committee on Education, submitted the following report:

*Mr President:*

The Committee on Education has had under consideration the following bills of the House and I am instructed to report the same back to the Senate with the recommendation that they do pass, to-wit:

A bill to be entitled an Act to incorporate the Waresboro School District in Ware county

A bill to be entitled an Act to amend the school laws of the City of Moultrie, and for other purposes.

A bill to be entitled an Act to authorize the trustees of Effingham Academy to use the assets to build and equip the school building at Springfield, Effingham county

A bill to be entitled an Act to establish a system of public schools in and for the town of Dallas, Paulding county, State of Georgia, to provide for maintenance of said school by taxation and other-

wise, to create a board of school commissioners for the control of said school. To authorize the State School Commissioner to pay over to the trustees all money due said school from State.

Respectfully submitted,

McWILLIAMS, Chairman.

Mr. Irwin, Chairman of the Committee on Corporations, submitted the following report:

*Mr President:*

The Committee on Corporations has had under consideration the following Senate bills, which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to create a new Charter for the town of Lumber City

A bill to amend an Act to establish the City Court of Abbeville in and for Wilcox county

The Committee has also had under consideration the following House bills, which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to amend the Act incorporating the town of Sparks in Berrien county, Georgia.

A bill to repeal an Act incorporating the town of Piedmont in Pike county

Respectfully submitted,

JNO. R. IRWIN, Chairman.

Mr. Patterson, Chairman of the Committee on Engrossing, submitted the following report:

*Mr. President:*

The Committee on Engrossing have examined and found properly engrossed and ready for transmission to the House the following bills, to-wit:

A bill to fix the salary of the stenographer in the office of the Attorney-General.

A bill to fix the compensation of Ordinaries of various counties in this State for preparing pension papers.

A bill to provide for pleading and practice in county courts.

Respectfully submitted,

L. F. PATTERSON, Chairman.

The following Senate bills were read second time:

By Mr. Slater—

A bill to amend Section 936, Volume 1, of the Code.

By Mr. McLean—

A bill to transfer the county of Tattnall from the Middle Judicial Court to the Atlantic Judicial Court.

By Mr. Rutherford—

A bill to preserve to benevolent, fraternal, social, humane and charitable organizations the right to the exclusive use of the names adopted and used by them.

By Mr. Calhoun—

A bill to create a new Charter for Lumber City

By Mr. King—

A bill to amend an Act establishing the City Court of Abbeville.

By Mr. King—

A bill to abolish the City Court of Cordele in Crisp county

The following Senate bill was read first time:

By Mr. Mays—

A bill to amend the Charter of the City of Griffin.

Referred to Committee on Corporations.

The following resolution was read and laid on the table:

By Mr. Jackson—

A resolution authorizing the President of the Senate, Speaker of the House, Secretary of Senate, Clerk of the House, Enrolling Committee of the House and Senate and Postmaster to remain at the capitol five days for the purpose of winding up the business of the General Assembly and that they be paid their regular per diem.

The following bills of the House were read first time:

By Mr. Reid—

A bill to levy a tax as required by the Constitution to raise the sinking fund to pay off and retire the valid bonds of the State as they mature.

Referred to Committee on Special Judiciary

By Mr. Dickson—

A bill to amend an Act entitled an Act to establish the City Court of Fitzgerald.

Referred to Committee on Special Judiciary

By Mr. Johnson—

A bill to establish the City Court of Hazlehurst, in and for the County of Jeff Davis.

Referred to Committee on General Judiciary.

By Mr. Wright—

A bill to amend an Act entitled an Act to create a Board of Commissioners of Roads and Revenues in the county of Stewart.

Referred to Committee on Counties and County Matters.

By Mr. Calbeck—

A bill to amend an Act to establish a new Charter for the town of Calhoun in Gordon county, approved December 13th, 1895.

Referred to Committee on Corporations.

By Mr. Edmondson—

A bill to amend Section 982 of Volume 1 of the Code of Georgia of 1895 providing for the selection by the Governor of banks in certain cities and towns therein named as State depositories and the several Acts amendatory thereof so as to add the town of Summerville in Chattooga county, Georgia to the list of such cities and towns.

Referred to the Committee on Banks.

By Mr. Calbeck—

A bill to amend the Charter of the town of Calhoun, so as to authorize and empower the municipal authorities of said town to levy and collect a business or occupation tax from the citizens thereof and for all itinerant traders or peddlers.

Referred to Committee on Corporations.

By Mr. McMichael—

A bill to repeal an Act to create a Board of Commissioners of Roads and Revenues in the county of Butts.

Referred to Committee on Counties and County Matters.



By Messrs. Reid and McWhorter—

A bill to provide that the funds arising from the license tax on imitations or substitutes for beer, ale, wine, whiskey or other spirituous or malt liquors be made available for meeting the general expenses of the State.

Referred to Committee on Finance.

By Messrs. Price and Johnson—

A bill to regulate the running of automobiles and other motor vehicles on the public roads of the county of Bartow.

Referred to Committee on Public Roads.

By Mr. Henderson—

A bill to appropriate \$10,000.00 to the State Board of Entomology for 1909-10 to be used in experimental work on Black Root or with disease of cotton.

Referred to Committee on Appropriations.

By Mr. McElreath—

A bill to amend the Act of September 21, 1887, entitled "An Act to fix the time for the adjournment of the Superior and City Courts in the State of Georgia" as amended by an Act approved on December

21st, 1896, so that the same shall not apply to the Superior Court in any county wherein such Superior Court has as many as six terms per year and to repeal conflicting laws.

Referred to Committee on General Judiciary

By Mr. Wright—

A bill to amend the Charter of Cairo, Georgia, so as to empower and authorize the mayor and council to order an election for additional bonds.

Referred to Committee on Corporations.

By Mr. Burch—

A bill to amend an Act establishing a new Charter for the City of Dublin, approved August 22d, 1905, and the several Acts amendatory thereto.

Referred to Committee on Corporations.

By Mr. Griffin—

A bill to establish a new Charter for the City of Jeffersonville, and for other purposes.

Referred to Committee on Special Judiciary

By Messrs. Jones, Parker and Lovejoy—

A bill to incorporate the City of Manchester in the counties of Meriwether and Troup.

Referred to Committee on Corporations.

By Mr. Alexander—

A bill to amend, consolidate and supersede the several Acts incorporating the town of Decatur, DeKalb county, and to establish a new Charter therefor.

Referred to Committee on Corporations.

By Mr. Slade—

A bill to define water lot No. 19 in the City of Columbus in the county of Muscogee.

Referred to Committee on Special Judiciary

By Messrs. Alexander, Brown and McElreath—

A bill to establish a new Charter for the City of Atlanta, approved February 28th, 1874, and the several Acts amendatory thereof by extending the limits of said city beyond the limits as now defined, so as to take in new territory

Referred to Committee on Corporations.

By Mr. McCarthy—

A bill to fix and regulate fees for constables of Militia Districts of this State, which are now or may hereafter be located within the corporate limits of cities having a population of not less than 54,000 and not more than 80,000 inhabitants.

Referred to Committee of General Judiciary

By Messrs. Alexander, Brown and McElreath—

A bill to repeal the Act incorporating the town of Oakland City in the county of Fulton.

Referred to Committee on Corporations.

By Mr. Evans—

A bill to authorize and direct the County Commissioners of Bibb county to pay certain attorney's fees.

• Referred to Committee on Special Judiciary

By Mr. White—

A bill to amend an Act to establish the City Court of Sylvania, approved December 15th, 1902.

Referred to Committee on Special Judiciary

By Mr. Brown—

A bill to establish a system of public schools in the City of McDonough, to provide for the maintenance, support and control of the same.

Referred to Committee on Education.

By Mr. McCarthy—

A bill to authorize the proper county authorities in all counties in this State having a city with a population of not less than 54,000 nor more than 75,000 to raise certain sums by taxation for educational purposes.

Referred to Committee on Education.

By Mr. Hardeman—

A bill to authorize the town of Wrens to establish a system of public schools.

Referred to Committee on Education.

By Mr. Evans—

A bill to authorize and direct the county commissioners of Bibb county to pay certain attorney's fees.

Referred to Committee on Special Judiciary

By Mr. McMichael—

A bill to incorporate the City of Pepperton.

Referred to Committee on Corporations.

By Messrs. Lord and Joiner—

A bill to amend the Charter of the City of Tennille in Washington county, Georgia.

Referred to the Committee on Corporations.

By Mr. Miller—

A bill to repeal an Act to incorporate the town of Millwood. Approved August 24th, 1905.

Referred to Committee on Corporations.

By Mr. Griffin—

A bill to establish a new Charter for the City of Jeffersonville, and for other purposes.

Referred to Committee on Special Judiciary

By Mr. Miller—

A bill to amend an Act approved August 20th.

1906, and entitled an Act to create and incorporate the City of Edison in lieu of the town of Edison.

Referred to Committee on Corporations.

Mr. Morris, Vice-Chairman of the Committee on Military, submits the following report:

*Mr President:*

The Committee on Military Affairs has had under consideration the following:

The following resolution of the House was also read first time:

By Mr. Barrett—

A resolution to provide for visiting convict camps.

Referred to Committee on Penitentiary

The following House bills were read second time:

By Mr. Miller—

A bill to provide and establish a new Charter for the City of Waycross.

By Mr. McFarland—

A bill to provide for the establishment of a system of public schools for the City of Darien.

By Mr. Walters—

A bill to amend the school laws of Moultrie.

By Mr. Redding—

A bill to repeal the Act creating the City Court of Barnesville.

By Mr. Helms—

A bill to establish a system of public schools in and for the town of Dallas.

By Mr. Rosser—

A bill to amend the Charter of the City of La Fayette.

By Mr. Ellis—

A bill to authorize the Mayor and Council of the City of Macon to close and sell portions of streets and alleys, and for other purposes.

By Mr. Williams—

A bill to incorporate the town of Five Forks.



By Mr. Henderson—

A bill to amend the Act creating the Board of Commissioners of Roads and Revenues for Turner county

By Mr. Marshall—

A bill to amend the Charter of the town of Bronwood.

By Messrs. Heard and Beauchamp—

A bill to amend the Act establishing the City Court of Vienna.

By Mr. Johnson—

A bill to abolish the County Court of Jeff Davis county

By Messrs. McConnell and Simpson—

A bill to amend Section 3 of an Act incorporating the City of Lawrenceville.

By Messrs. McConnell and Simpson—

A bill to amend Section 52 of an Act incorporating the City of Lawrenceville.

By Mr. Miller—

A bill to incorporate the Waresboro School District in Ware county.

By Mr. Guyton—

A bill to authorize the trustees of the Effingham Academy to use the assets to build a school building.

By Mr. Redding—

A bill to repeal the Act incorporating the town of Piedmont.

By Messrs. Moss and Daniel—

A bill to amend the Act of 1899, relating to water and light and sewers for the City of Marietta.

By Messrs. Moss and Daniel—

A bill to amend local Act of 1906 relative to water and lights for the City of Marietta.

By Mr. McFarland—

A bill to provide a new Charter for the City of Darien.

By Mr. Paulk—

A bill to amend the Act incorporating the town of Sparks.

By Mr. Wohlwender—

A bill to amend the Act establishing the City Court for the City of Columbus.

The hour of adjournment having arrived, the Senate adjourned until to morrow morning at 10 o'clock.

## SENATE CHAMBER, ATLANTA, GEORGIA,

FRIDAY, AUGUST 6, 1909.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Akin	Irwin	McCollum
Bowen	Johnson	McClure
Burwell	Jackson	Patterson
Blackwell	Kemp	Price
Calloway of 10th	King	Perry
Calloway of 29th	Longley	Pitts
Calhoun	Mays	Rutherford
Cates	Murray	Slater
Conley	Morris	Sellers
Day	Mathews	Stevens
Gordy	McLean	Ward of 5th
Griffith	McDowell	Womble
Harrell	McCurry	Wood
Harben	McWilliams	Mr. President

Those absent were Messrs.:

Rudicil                      Ward of 7th

The Journal of yesterday was read and approved.

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House has passed by the requisite Constitutional majority the following bill of the Senate, to-wit:

A bill to amend the Act establishing the City Court of Baxley in Appling county

Also, the House has offered an amendment to the Senate substitute for the following bill of the House, to-wit:

A bill to amend the Charter of the City of Forsyth.

Also, the House has passed by the requisite Constitutional majority the following bills of the House, to-wit:

A bill to amend an Act relating to appropriations to public libraries by the county of Bibb.

A bill to create a new Charter for the City of McRae.

A bill to incorporate the City of Ellijay, in the county of Gilmer.

A bill to repeal the Act creating a county Court in each county of the State of Georgia, approved January 9, 1872, so far as the same applies to the county of Stewart.

A bill to amend the Act establishing the City Court of Nashville in and for the county of Berrien.

A bill to create a Charter for the City of Zebulon in the county of Pike.

A bill to create the City Court of Zebulon in and for the county of Pike.

A bill to incorporate the town of Yonker, in the county of Dodge.

A bill to amend the Charter of the City of Toccoa.

A bill to prohibit the removal of any sand or dirt from the public roads of Spalding county

A bill to amend, consolidate and supersede the several Acts incorporating the town of Wadley in the county of Jefferson.

A bill to amend the Act incorporating the City of Collins in Tatnall county.

A bill to empower the Mayor and Aldermen of the City of Milledgeville to sell and convey portions of the streets, etc.

A bill to repeal an Act creating a Board of Roads and Revenues for the county of Wilkinson.

A bill to create a Board of Commissioners of Roads and Revenues for the county of Wilkinson.

A bill to amend Section 982 of Volume 1 of the Code of 1895, so as to add the town of Guyton in Effingham county to the list of such depositories.

A bill to fix the amount of solvent assets which mutual aid, benefit and industrial life insurance companies shall have and maintain, etc.

By unanimous consent the following Senate bill was taken up and read the third time and put upon its passage.

By Mr. Slater—

A bill to amend Section 936, Volume 1 of the Code.

The report of the Committee was agreed to.

Upon the passage of the bill the ayes were 35, nays 0.

The bill having received the requisite Constitutional majority was passed.

By unanimous consent the following Senate bill was read the first time:

By Mr. Sellers:

A bill to amend the Constitution of Georgia by

prohibiting the removal of public officers without a judicial trial.

Referred to Committee on Constitutional Amendments.

By Mr. Gordy—

A bill to provide a depository for county funds in this State.

Referred to Committee on General Judiciary

By unanimous consent the following House bills were read the second time and recommitted:

By Mr. Henderson—

A bill to appropriate \$10,000 to the State Board of Entomology for 1909-10 to be used in experimental work on Black Root or Wilt, and for other purposes.

By Mr. Jones—

A bill to make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State of Georgia.

The following House bills were read the first time:



The following Senate bill was read the second time:

By Mr. Mays—

A bill to amend the Charter of the City of Griffin.

The following House bills were read the second time:

By Messrs. Lord and Joiner—

A bill to amend the Charter of the City of Tennesse, Washington county, Georgia, and for other purposes.

By Mr. Miller—

A bill to repeal an Act entitled “An Act to incorporate the town of Millwood, Ware county, and for other purposes.” Approved August 24th, 1905.

By Messrs. Campbell and McWhorter—

A bill to provide that the funds arising from the license tax on imitation or substitutes for beer, ale, wine, whiskey and other spirituous or malt liquors shall be made available for meeting the general expense of the State, and for other purposes.

By Messrs. Alexander, Brown and McElreath—

A bill to repeal the Act incorporating the town of Oakland City, Fulton county, and for other purposes.

By Mr. Reid —

A bill to levy a tax as required by the Constitution to raise the sinking fund to pay off and retire the valid bonds of the State as they mature, and for other purposes.

By Mr. Calbeck—

A bill to amend the Charter of Calhoun, Gordon county, so as to authorize the municipal authorities to levy and collect a business and occupation tax and for other purposes.

By Mr. Miller—

A bill to amend an Act approved August 20, 1906, entitled an Act to create and incorporate the City of Edison in lieu of the town of Edison, and for other purposes.

By Mr. Burch—

A bill to amend an Act establishing a new Charter for Dublin, approved August 22d, 1905, and the

several Acts amendatory thereto, and for other purposes.

By Mr Wright—

A bill to amend the Charter of Cairo, Georgia, so as to empower and authorize the Mayor and Councilmen to order an election for additional bonds.

By Messrs. Alexander, Brown and McElreath—

A bill establishing a new Charter for the City of Atlanta, so as to extend the limits of said city.

By Mr. Alexander—

A bill to amend, consolidate and supersede the several Acts incorporating the town of Decatur, DeKalb county, and to establish a new Charter.

By Mr. Griffin—

A bill to establish a new Charter for the City of Jeffersonville, Twiggs county, and for other purposes.

By Messrs. Jones, Parker and Lovejoy—

A bill to incorporate the City of Manchester in the counties of Meriwether and Talbot and for other purposes.

By Mr. Dickson—

A bill to amend an Act establishing the City Court of Fitzgerald in the City of Fitzgerald.

By Messrs. McCarthy and Anderson—

A bill to authorize in all counties in this State having a population of not less than 54,000 nor more than 75,000 to raise certain sums by taxation for educational purposes and for other purposes.

By Mr. Hardeman—

A bill to authorize the town of Wrens to establish a system of public schools, and for other purposes.

By Mr. White—

A bill to amend an Act establishing the City Court of Sylvania, and for other purposes.

By Mr. Calbeck—

A bill to establish a new Charter for the town of Calhoun in Gordon county, and for other purposes

By Messrs. Tuggle and Lovejoy—

A bill to amend an Act amending the Act establishing the City Court of LaGrange.

By Mr. Evans—

A bill to authorize and direct the County Commissioners of Bibb county to pay certain attorney's fees, and for other purposes.

By Mr. Brown—

A bill to establish a system of public schools in the City of McDonough, and for other purposes.

The following Senate bills were read the third time and put upon their passage:

By Mr. McLean—

A bill to transfer the county of Tattnall from Middle Judicial Circuit to Atlantic Judicial Circuit of Georgia.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 34, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Carter—

A bill to amend the Charter of the City of Waynesboro, so as to create the office of recorder

Report of Committee was agreed to.

Upon the passage of this bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Calhoun—

A bill to create a new Charter of the town of Lumber City, and for other purposes.

Report of Committee was agreed to.

Upon the passage of this bill the ayes were 31, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Irwin, by request—

A bill to amend the Charter of the Mayor and Council of the City of Shellman.

Report of Committee was agreed to.

Upon the passage of this bill the ayes were 34, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr Sellers—

A bill to amend an Act establishing the City Court of Baxley and Acts amendatory thereof, so as to change the terms of office of the Judge of said Court.

Report of Committee was agreed to.

Upon the passage of this bill the ayes were 29, nays 0.

The bill having received the requisite Constitutional majority was passed as amended and the amendment is as follows: Amend 12th line, Section 1, by striking out the word “two” and inserting in lieu thereof, the word “one.”

By Mr. King—

A bill to amend the Act establishing the City Court of Abbeville, and for other purposes.

The report of the Committee was agreed to.

Upon the passage of this bill the ayes were 29, nays 0.

The bill having received a requisite Constitutional majority was passed as amended.

The amendment is as follows: Amend Section eight (8) by striking out of the end of said Section the words "stricken in full" and inserting in lieu thereof the words amended by striking out at the end of said Section (1) the words "in said City Court of Abbeville," and inserting in lieu thereof the words "in Wilcox county "

By Mr. Burwell—

A bill to amend an Act prescribing the manner of letting public printing, and for other purposes.

Report of Committee was agreed to.

Upon the passage of this bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority was passed as amended.

The amendment was as follows:

Amend Section 1 by adding: "Provided, That no publication of any volume of the laws or Journals shall be paid for until the same or proof of same shall have been approved by the Secretary of State "

The following House bills were read first time:



By Mr. Meadows—

A bill to create a new Charter for the City of Rome and for other purposes.

Referred to Committee on Corporations.

By Mr. Smith—

A bill to incorporate the City of Ellijay, Gilmore county, and for other purposee.

Referred to Committee on Corporations.

By Mr. Redding—

A bill to create the City Court of Zebulon in and for Pike county, and for other purposes.

Referred to Committee on General Judiciary

By Mr. Wright—

A bill to repeal an Act to create a County Court in each county of said State, except certain counties, and for other purposes.

Referred to Committee on Counties and County Matters.

By Mr. Upshaw—

A bill to fix the amount of solvent assets which mutual aid benefit and industrial life insurance companies shall have and maintain, etc., and for other purposes.

Referred to Committee on General Judiciary

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By Mr. Paulk—

A bill to establish a City Court of Nashville, Berrien county, and for other purposes.

Referred to Committee on Special Judiciary

By Mr. Redding—

A bill to create the Charter for the City of Zebulon, Pike county, Georgia.

Referred to Committee on General Judiciary

By Mr. Roberts—

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A bill to repeal an Act incorporating the town of Yonkers, Dodge county, and for other purposes.

Referred to Committee on Corporations.

By Mr. Barrett—

A bill to amend the Charter of the City of Toccoa, so as to authorize the establishment of a system of sewerage to issue bonds for the payment thereof, and for other purposes.

Referred to Committee on Corporations.

By Mr. Boyd—

A bill to prohibit the removal of any sand or dirt from the public roads of Spalding county, and for other purposes.

Referred to Committee on Public Roads.

By Mr. Hardeman—

A bill to consolidate and amend the several Acts incorporating the town of Wadley, Jefferson county

Referred to Committee on Corporations.

By Mr. Smith—

A bill to amend an Act incorporating the City of Collins, Tattnall county, to change the boundary of said City, and for other purposes.

Referred to Committee on Corporations.

By Mr. Vinson—

A bill to empower the Mayor and Aldermen of the City of Milledgeville to sell and convey portions of the streets, and for other purposes.

Referred to Committee on Corporations.

By Mr. Carswell—

A bill to repeal an Act creating a Board of Commissioners of Roads and Revenues for the county of Wilkinson.

Referred to Committee on Counties and County Matters.

By Mr. Carswell—

A bill to create a Board of Commissioners of Roads and Revenues for Wilkinson, and for other purposes.

Referred to Committee on Counties and County Matters.

By Mr. Guyton—

A bill to amend Section 982, of Volume 1, of the Code of Georgia, 1895, and for other purposes.

Referred to Committee on Banks.

By Mr. Ellis—

A bill to amend an Act relating to appropriations to public libraries by the county of Bibb.

Referred to Committee on Public Library.

By unanimous consent Senate bills Nos. 154, 156, 118, 42, were ordered immediately transmitted to the House.

The following Senate bill was read third time, and put upon its passage:

By Mr. McCurry—

A bill making it a misdemeanor to obtain food, lodging or other accommodations at any hotel, etc., in this State with the intent to defraud the owner of same.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 6.

The bill having received the requisite Constitutional majority was passed by substitute.

The following Senate bill was taken from the table and read the second time:

By Mr McLean—

A bill to amend an Act incorporating the town of Collins, Tattnall county, so as to change the boundaries of same.

ATLANTA, GEORGIA, AUGUST 6th, 1909.

The following message was received from His Excellency the Governor, through his Secretary, Mr. Blackburn:

*Mr President:*

I am directed by His Excellency the Governor, to deliver to the Senate a sealed communication to which he respectfully invites the consideration of your honorable body in executive session.

Mr. Mathews, Chairman of the General Judiciary Committee, submits the following report:

*Mr. President:*

The General Judiciary Committee has had under consideration the following bill of the Senate, which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to require ordinaries and county commissioners to pay costs to officers.

The Committee has also had under consideration the following bills of the House, which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to create liens for laundrymen.

A bill to establish the City Court of Hazlehurst in and for the county of Jeff Davis.

A bill to fix and regulate fees for constables of militia districts of this State which are now or may hereafter be located within the corporate limits of cities having a population of not less than 54,000 and not more than 80,000 inhabitants.

A bill to amend the Act of September 21, 1887, entitled, "An Act to fix the time for the adjournment of the Superior and City Courts in the State of Georgia" as amended by an Act approved on December 21, 1896, so that the same shall not apply to the Superior Court in any county wherein such Superior Court has as many as six terms per year; and to repeal conflicting laws.

A bill to change the time of holding the Superior Court of Dodge county in the Oconee Circuit.

A bill to fix and regulate fees for Justices of the Peace of the Militia Districts of this State within the corporate limits of cities having a population of not less than 54,000 and not more than 80,000 inhabitants.

A bill to regulate salaries of stenographers in counties having cities of between 23,000 and 39,000 inhabitants.

A bill to repeal an Act approved December 22d, 1890, to repeal the Charter of Zebulon, Pike county, Georgia.

A bill to repeal an Act to create a county court in each county in the State of Georgia, so far as the same applies to the county of Pike.

A bill to increase the number of terms of the Superior Court of Richmond county, Georgia.

Respectfully submitted,

H. A. MATHEWS, Chairman.

Mr. Callaway, Chairman of the Committee on Counties and County Matters, submitted the following report:

*Mr. President:*

The Committee on Counties and County Matters has had under consideration the following House bill and I am instructed to report the same back to the Senate with the recommendation that it "do pass," to-wit:



A bill to be entitled an Act to amend an Act approved December 1, 1893, and amended Act thereof approved August 1, 1908, and August 17, 1908, and to provide for establishing eight road district commissioners in Lawrence county, and for other purposes.

Respectfully submitted,

R. D. CALLAWAY, Chairman.

Mr. Womble, Chairman of the Special Judiciary Committee, submitted the following report:

*Mr President:*

The Committee on Special Judiciary have had under consideration the following Senate bill, which they instructed me to report back to the Senate with the recommendation that it do pass.

A bill (No. 149) An Act to amend an Act to incorporate the City of Collins in Tattnall county

The Committee also have had under consideration the following House bills, which I am instructed to report the same back to the Senate they do pass.

A bill No. 48 to be entitled an Act to authorize and direct the County Commissioners of Bibb county to pay certain attorney's fees.

A bill No. 227. An Act to amend an Act to establish a City Court of Sylvania.

A bill No. 625. An Act to establish a new Charter for the City of Jeffersonville in Twiggs county

A bill No. 633. An Act amending an Act establishing the City Court of LaGrange in Troup county

A bill No. 566. An Act to amend an Act to establish the City Court of Fitzgerald.

Respectfully submitted,

M. D. WOMBLE, Chairman.

Mr. McWilliams, Chairman of the Committee on Education, submitted the following report:

*Mr President:*

The Committee on Education has had under consideration the following bills of the House, and I am instructed to report the same back to the Senate with the recommendation that they do pass, to-wit:

A bill to be entitled an Act to establish a system of Public Schools in the City of McDonough, to provide for the maintenance support and control of same, and for other purposes.

A bill to be entitled an Act to authorize the proper County authorities in all Counties in this State having a city with a population of not less than 54,000 nor more than 75,000, to raise certain sums by taxation for educational purposes.

A bill to be entitled an Act to authorize the town of Wrens to establish a system of Public Schools, and for other purposes.

Respectfully submitted,

McWILLIAMS, Chairman.

Mr. Slater, Chairman of the Finance Committee, submits the following report:

*Mr President:*

The Finance Committee has had under consideration the following House bills which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to provide that the funds arising from the license tax on imitations or substitutes for beer, ale, wine, whiskey or other spirituous or malt liquors, shall be made available for meeting the general expenses of the State.

A bill to levy a tax, as required by the Constitu-

tion, to raise the sinking fund to pay off and retire the valid bonds of the State as they mature.

Respectfully submitted,

W F SLATER, Chairman.

Mr Conley, Chairman of the Committee on Enrollment, submitted the following report:

*Mr President:*

The Committee on Enrollment report as duly enrolled and ready for the signature of the President of the Senate and Speaker of the House of Representatives, the following Act, to-wit:

An Act to incorporate the City of Dawson.

Respectfully submitted,

F E CONLEY, Chairman.

Mr. Conley, Chairman of the Committee on Enrollment, submitted the following report:

*Mr President:*

The Committee on Enrollment report as duly signed by the President of the Senate and Speaker

of the House of Representatives, and delivered to the Governor, the following Act, to-wit:

An Act to incorporate the City of Dawson.

Respectfully submitted,

F. E. CONLEY, Chairman.

Mr. Gordy, Chairman of the Committee on Penitentiary, submitted the following report:

*Mr. President:*

The Committee on Penitentiary has had under consideration the following House resolution which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A resolution providing for visiting convict camps by the Committee on Penitentiary of the Senate and House during vacation of the General Assembly.

Respectfully submitted,

F. M. GORDY, Chairman.

Mr. Patterson, Chairman of the Committee on Engrossing, submitted the following report:

*Mr. President:*

The Committee on Engrossing has examined and found properly engrossed and ready for transmission to the House of Representatives, the following bill, to-wit:

A bill to authorize railroad companies in this State to condemn property on certain conditions, and for other purposes.

Respectfully submitted,

L. F. PATTERSON, Chairman.

Mr. Morris, Vice-Chairman of the Committee on Military Affairs, submits the following report:

*Mr. President:*

The Committee on Military Affairs has had under consideration the following resolution, which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A resolution providing for the disposition of certain funds remaining in the hands of the Adjutant-General appropriated by the United States Government in the Spanish-American War.

Respectfully submitted,

W. S. MORRIS, Vice-Chairman.

Mr. Irwin, Chairman of the Corporations Committee, submits the following report:

*Mr President:*

The Committee on Corporations has had under consideration the following bill of the Senate which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to amend the Charter of the City of Griffin.

The Committee has also had under consideration the following bills of the House which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to repeal an Act to incorporate the town of Millwood, in the County of Ware, approved August 24th, 1905.

A bill to amend the Charter of the City of Tennesse, in Washington County, Georgia.

A bill to establish a new Charter for the City of Atlanta approved February 28, 1874, and the several Acts amendatory thereof, by extending the limits of said City so as to take in new territory.

A bill to amend, consolidate and supersede the several Acts incorporating the town of Decatur, in DeKalb County, and to establish a new Charter therefor.

A bill to amend the Charter of the town of Calhoun so as to authorize and empower the municipal authorities to levy and collect a business or occupation tax from the citizens thereof, and from all itinerant traders or peddlers.

A bill to amend the Charter of Cairo, Ga., so as to empower and authorize the Mayor and Council to order an election for additional bonds.

A bill to amend the Act establishing a new Charter for the City of Dublin approved August 22, 1905, and the several Acts amendatory thereof.

A bill to amend an Act approved August 20, 1906, and to create and incorporate the City of Edison, in lieu of the town of Edison.

A bill to amend an Act to establish a new Charter for the town of Calhoun, in Gordon County, approved December 13, 1895.

A bill to repeal the Act incorporating the town of Oakland City, in the County of Fulton.

A bill to incorporate the City of Manchester, in the Counties of Meriwether and Talbot.

Respectfully submitted,

JNO. R. IRWIN, Chairman.



The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House has passed by the requisite Constitutional majority, the following bills of the House, to-wit:

A bill to incorporate the town of Arcade, in the County of Jackson.

A bill to amend the Charter of the town of Maysville.

A bill to amend the Charter of the City of Brunswick.

Mr. Irwin, Chairman of the Corporations Committee, submits the following report:

*Mr President:*

The Corporations Committee has had under consideration the following bill of the House which I am instructed to report back to the Senate with the recommendation that it do pass by substitute, to-wit:

A bill to repeal an Act entitled an Act to consolidate, amend and codify the various Acts incorporating the City of Dalton; to establish a new Charter for said City.

The Committee has also had under consideration the following bill of the House which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to incorporate the City of Pepperton.

Respectfully submitted,

JNO. R. IRWIN, Chairman.

Mr. Price, Chairman of the Committee on Agriculture, submits the following report:

*Mr President:*

The Committee on Agriculture has had under consideration the following bill of the House which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to prohibit fishing in Little Tennessee River and its tributaries in Rabun County, Georgia, in any other way than with hook and line; to prescribe penalty for violation of the same.

Respectfully submitted,

J D. PRICE, Chairman.

The following House bills were read the third time and put upon their passage.

By Mr. Brown:

A bill to establish a new Charter for the town of Tennga, Murray County, and for other purposes.

Report of the Committee was agreed to.

Upon the passage of this bill the ayes were 34, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Marshall—

A bill to amend the Charter of the town of Bronwood, and for other purposes.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 34, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Fields—

A bill to repeal an Act to provide for the change of County lines lying within the limits of incorporated towns and cities, and for other purposes.

Report of the Committee was agreed to.

Upon the passage of this bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Messrs. Anderson and Simmons

A bill to amend an Act establishing the City Court of Statesboro.

Report of the Committee was agreed to.

Upon the passage of this bill the ayes were 30, nays 0.

The bill having received the requisite Constitutional majority, was passed

By Mr. Rosser—

A bill to amend the Charter of the City of Lafayette.

Report of the Committee was agreed to.

Upon the passage of this bill the ayes were 34, nays 0.

The bill having received the requisite Constitutional majority, was passed, as amended.

Committee amends by inserting the words “a City Marshall” in the 12th line in Section 1, after the word “Aldermen” and before the word “and.” Also, by inserting the words “a City Marshall” in the 20th line of said Section after the word “Aldermen” and before the word “and.” Also, by inserting the words “a City Marshall” in the 56th line of said Section after the word “Aldermen” and before the word “and.”

By Mr. Williams—

A bill to repeal an Act establishing the City Court of Danielsville, and for other purposes.

Report of the Committee was agreed to.

Upon the passage of this bill the ayes were 35, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Ellis—

A bill to authorize the Mayor and Council of the City of Macon to close and sell certain portions of streets and alleys, and for other purposes.

Report of the Committee was agreed to.

Upon the passage of this bill the ayes were 30, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Messrs Heard and Beacham—

A bill to amend an Act establishing the City Court of Vienna, Dooly County, and for other purposes.

Report of the Committee was agreed to.

Upon the passage of this bill the ayes were 30, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Messrs. Brinson and Parker—

A bill to amend an Act incorporating the town of Brinson, Decatur County, and for other purposes.

Report of the Committee was agreed to.

Upon the passage of this bill the ayes were 30, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Helms—

A bill to establish a system of Public Schools in and for the town of Dallas, Paulding County, and for other purposes.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Rentz—

A bill to incorporate the town of Grovania, Houston County; define its boundaries, and for other purposes.

Report of the Committee was agreed to.

Upon the passage of this bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Daniels—

A bill to authorize the Mayor and Council of the

town of Roswell, in Cobb County, to issue bonds, and for other purposes.

Report of the Committee was agreed to.

Upon the passage of this bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Messrs. Kennedy and Smith—

A bill to incorporate the City of Glennville, Tatnall County, Ga., and for other purposes.

Report of Committee was agreed to.

Upon the passage of this bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Henderson—

A bill to amend an Act entitled an Act to create a Board of Commissioners of Roads and Revenues for Turner County, so as to provide a Vice-Chairman of said Board, and for other purposes.

Report of the Committee was agreed to.



Upon the passage of this bill the ayes were 27,  
nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Messrs. Heard and Beacham—

A bill to amend an Act incorporating the town of Unadilla, Ga., and for other purposes.

Report of the Committee was agreed to.

Upon the passage of this bill the ayes were 27,  
nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Williams—

A bill to incorporate the town of Five Forks, Madison County, and for other purposes.

Report of the Committee was agreed to.

Upon the passage of this bill the ayes were 27,  
nays 0.

The bill having received the requisite Constitutional majority, was passed

By Mr. Henderson—

A bill to abolish the City Court of Ashburn and repeal the Act establishing same

Report of the Committee was agreed to.

Upon the passage of this bill the ayes were 31, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Upshaw—

A bill to amend the Act creating a Board of County Commissioners for Douglas County, and for other purposes.

Report of the Committee was agreed to.

Upon the passage of this bill the ayes were 28, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Beazley—

A bill to amend an Act establishing a City Court of Leesburg, and for other purposes.

Report of the Committee was agreed to.

Upon the passage of this bill the ayes were 30, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Messrs. Vinson, Littleton, Pierce, Garlington and Fields—

A bill to amend the Constitution of Georgia so as to allow Augusta to increase her bonded indebtedness beyond the amount now allowed by the Constitution, and for other purposes.

Report of the Committee was agreed to.

Upon the passage of this bill, the ayes and nays were ordered, which was as follows:

Those voting in the affirmative were Messrs:

Akin	Harrell	McWilliams
Bowen	Harben	McCollum
Burwell	Irwin	McClure
Blackwell	Jackson	Patterson
Callaway of 10th	Kemp	Price
Callaway of 29th	King	Perry
Calhoun	Longley	Rutherford
Cates	Murray	Sellers
Conley	Morris	Stevens
Day	Mathews	Ward of 5th
Gordy	McLean	Womble
Griffith	McCurry	Wood

Those not voting were Messrs:

Johnson	Pitts	Ward of 7th
Mays	Rudicil	Mr. President
McDowell	Slater	

Ayes 36; Nays 0.

The bill having received the requisite Constitutional majority, was passed, and the bill as is as follows:

A bill to be entitled "An Act to amend Paragraph one of Section seven of Article seven of the Constitution of this State, so as to provide for allowing the City Council of Augusta, which owns both a power-producing canal and waterworks, to increase its bonded indebtedness beyond the amount now allowed under said Paragraph, under certain circumstances, for the purpose of flood protection."

SECTION 1. Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by the authority of the same, That Paragraph One of Section Seven of Article Seven of the Constitution of this State is hereby amended by adding at the end of said paragraph the following words:

"Except that The City Council of Augusta, from time to time, as necessary, for the purpose of protection against floods, may incur a bonded indebtedness upon its power producing canal and municipal

waterworks, in addition to the debts hereinbefore in this paragraph allowed to be incurred, to an amount in the aggregate not exceeding fifty per centum of the combined value of such properties; the valuation of such properties to be fixed as may be prescribed by law, but said valuation not to exceed a figure five per cent. on which shall represent the net revenue per annum produced by the two such properties together at the time of said valuation, and such indebtedness not to be incurred except with the assent of two-thirds of the qualified voters of such City, at an election or elections for that purpose, to be held as may be now, or may be hereafter, prescribed by law for the incurring of new debts by said The City Council of Augusta."

So that said paragraph when amended shall read as follows:

"Paragraph 1. The debt hereafter incurred by any county, municipal corporation or political division of this State, except as in this Constitution provided for, shall not exceed seven per centum of the assessed value of all the taxable property therein, and no such county, municipality or division shall incur any new debt, except for a temporary loan or loans to supply casual deficiencies of revenue, not to exceed one-fifth of one per centum of the assessed value of taxable property therein, without the assent of two-thirds of the qualified voters thereof, at an election for that purpose, to be held as may be prescribed by law; but any city, the debt of which does

not exceed seven per centum of the assessed value of the taxable property at the time of the adoption of this Constitution, may be authorized by law to increase, at any time, the amount of said debt, three per centum upon such assessed valuation; except that The City Council of Augusta, from time to time, as necessary, for the purpose of protection against floods, may incur a bonded indebtedness upon its power producing canal and municipal water-works, in addition to the debts hereinbefore in this paragraph allowed to be incurred, to an amount in the aggregate not exceeding fifty per centum of the combined value of such properties; the valuation of such properties to be fixed as may be prescribed by law, but said valuation not to exceed a figure five per cent. on which shall represent the net revenue per annum produced by the two such properties together at the time of said valuation, and such indebtedness not to be incurred except with the assent of two-thirds of the qualified voters of such City, at an election or elections for that purpose to be held as may be now, or may be hereafter, prescribed by law for the incurring of new debts by said The City Council of Augusta."

SEC. 2. Be it further enacted, by the authority aforesaid, That whenever the above proposed amendment to the Constitution shall be agreed to by two-thirds of the members elected to each of the two houses of the General Assembly, and the same has been entered on their journals, with the ayes and

nays taken thereon. the Governor shall, and he is hereby authorized and instructed to cause said amendment to be published in at least two newspapers in each Congressional District in this State for the period of two months next preceding the time of holding the next general election.

SEC. 3. Be it further enacted, by the authority aforesaid, That the above proposed amendment shall be submitted for ratification or rejection to the electors of this State at the next general election to be held after publication as provided for in the Second Section of this Act, in the several election Districts of this State, at which election every person shall be qualified to vote who is entitled to vote for members of the General Assembly. All persons voting at such election in favor of adopting the proposed amendment to the Constitution shall have written or printed on their ballots the words: "For amendment allowing City of Augusta to increase its bonded indebtedness for flood protection," and all persons opposed to the adoption of the amendment shall have written or printed on their ballots the words: "Against amendment allowing City of Augusta to increase its bonded indebtedness for flood protection."

SEC. 4. Be it further enacted, by the authority aforesaid, That the Governor be, and he is hereby authorized and directed to provide for the submission of the amendment proposed in the first Section of this Act to a vote of the people as required

by the Constitution of this State in Paragraph One of Section One of Article Thirteen, and by this Act, and if ratified the Governor shall, when he ascertains such ratification from the Secretary of the State, to whom the returns shall be referred in the manner as in cases of election for members of the General Assembly to count and ascertain the results, issue his proclamation for one insertion in one of the daily papers of this State, announcing such result and declaring the amendment ratified.

SEC. 5. Be it further enacted, by the authority aforesaid, That all laws and parts of laws in conflict with this Act, be, and the same are, hereby repealed.

Mr. Harrell moved that when the Senate adjourned today it reconvene at 3:30 o'clock p. m. for the purpose of reading local House and Senate bills first, second and third time.

On this motion the ayes and nays were ordered and the vote is as follows

Those voting in the affirmative were Messrs:

Akin	Irwin	Perry
Bowen	Kemp	Pitts
Callaway of 29th	King	Rutherford
Calhoun	Longley	Sellers
Conley	Murray	Ward of 5th
Day	Mathews	Womble
Gordy	McLean	Wood
Harrell	McCollum	



Those voting in the negative were Messrs:

Burwell	Jackson	Price
Callaway of 10th	McDowell	Slater
Cates	McWilliams	Stevens
Griffith	McClure	
Harben	Patterson	

Those not voting were Messrs:

Blackwell	Morris	Ward of 7th
Johnson	McCurry	Mr. President
Mays	Rudieil	

Ayes 23; Nays 13.

The motion prevailed.

The following House bills were read the second time:

By Messrs. Tippins and MacIntyre—

A bill to create liens for laundrymen, and for other purposes.

By Mr. Johnson—

A bill to establish the City Court of Hazlehurst in and for Jeff Davis county, and for other purposes.

By Mr. McCarthy—

A bill to regulate fees of justices of the peace of the Militia Districts of this State within the corporate limits of cities having a population of not less than 54,000 and not more than 80,000 inhabitants, and for other purposes.

By Mr. Garlington—

A bill to increase the number of terms of the Superior Court of Richmond county, and for other purposes.

By Messrs. Ellis, Evans and Hall—

A bill to regulate salaries of stenographers in counties having cities of between 23,000 and 39,000 inhabitants.

By Mr. Roberts—

A bill to change the time of holding the Superior Court of Dodge county in the Oconee Circuit, and for other purposes.

By Mr. Redding—

A bill to repeal an Act to create a county court in each county in the State of Georgia, so far as the same applies to the county of Pike.

By Mr. McElreath—

A bill to amend the Act to fix the time for the adjournment of the Superior and City Courts in the State of Georgia as amended by an Act approved December 21st, 1896, so that the same shall not apply to the Superior Court in any such Superior Court has as many as six terms per year, and to repeal conflicting laws.

By Mr. Redding—

A bill to repeal an Act repealing the Charter of Zebulon, Pike county, Georgia.

By Mr. McCarthy—

A bill to regulate fees for constables of Militia Districts of this State, which are now or hereafter may be located in cities having a population of not less than 54,000 and not more than 80,000 inhabitants, and for other purposes.

By Mr. Barrett—

A resolution to provide for visiting convict camps.

By Mr. Tarver—

A bill to repeal “An Act to consolidate, amend and codify the various Acts incorporating the City of

Dalton," to establish a new Charter for said city, and for other purposes.

The following Senate bills and resolution were read the third time and put upon their passage:

By Mr. Slaton, by request—

A resolution to authorize the State of Georgia to make an exchange of about six (6) acres of land owned by it in Cobb county, 210 feet from the right-of-way of the W & A. R. R. for an equal amount of land adjoining the right-of-way of said railroad under certain conditions, and for other purposes.

Report of Committee was agreed to

Upon the passage of this resolution the ayes were 29, nays 0.

This resolution having received the requisite Constitutional majority was passed.

By Mr. McCurry—

A bill to confer upon counties and municipalities in Georgia power and authority to grant franchises to corporations for construction, etc., of electric wires, conduits, etc., and for other purposes.

Report of Committee was agreed to.

Upon the passage of this bill the ayes and nays were ordered and the vote is as follows:

Those voting in the affirmative were Messrs:

Akin	Harben	McWilliams
Bowen	Irwin	McCollum
Burwell	Kemp	McClure
Calloway of 10th	King	Price
Calloway of 29th	Longley	Pitts
Calhoun	Murray	Rutherford
Cates	Morris	Slater
Conley	Mathews	Womble
Gordy	McLean	Wood
Griffith	McDowell	
Harrell	McCurry	

Those voting in the negative were Messrs:

Jackson	Perry	Stevens
Patterson		

Those not voting were Messrs:

Blackwell	Mays	Ward of 5th
Day	Rudicil	Ward of 7th
Johnson	Sellers	Mr. President

Ayes 31; Nays 4.

This bill having received the requisite Constitutional majority was passed as amended.

# 1.

Amend caption by striking out the words “as they may desire” in 7th line and inserting in lieu thereof “and to grant the same on such conditions and

for such compensation as the authorities of said county or municipality may agree upon.”

2.

Amend Section 1 by striking out in the 9th and 10th lines the words “as they may desire” and inserting in lieu thereof “and to grant the same or such conditions and for such compensation as the authorities of said town or municipality may agree upon.”

3.

Amend caption by inserting after the word corporations in 2d line, the words “organized under the laws of this State.”

4.

Amend Section 1 by inserting after the word corporations in 4th line “organized under the laws of this State.”

By Mr. Callaway—

A bill for the protection of game animals and game birds in this State.

The hour of adjournment having arrived the Senate stood adjourned until 3:30 o'clock this afternoon.

The Senate met pursuant to adjournment at 3:30 o'clock; was called to order by the President.

On motion the roll call was dispensed with.

Mr. Callaway, Chairman of the Committee on Counties and County Matters, submits the following report:

*Mr. President:*

The Committee on Counties and County Matters has had under consideration the following bills of the House and instruct me to report the same back to the Senate with the recommendation that they do pass.

A bill to be entitled an Act to amend an Act entitled an Act to create a Board of County Commissioners of Roads and Revenues in the county of Stewart.

A bill to be entitled an Act to repeal an Act to create a county court in each county of the State of Georgia except certain counties therein mentioned, approved January 19th, 1872, so far as the same applies to the county of Stewart, and for other purposes.

Respectfully submitted,

CALLAWAY, Chairman.

Mr. McDowell, Chairman of the Committee on Public Roads, submits the following report:

*Mr. President:*

The Committee on Public Roads has had under consideration the following House bills, which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to repeal, so far as the same effects Heard county, Georgia, the Road Law approved December 24th, 1896.

A bill to authorize the county of McIntosh to issue bonds in a sum not exceeding sixty thousand dollars for the construction and improvement of public roads and bridges in said county providing for an election for such purposes.

Respectfully submitted,

T. B. McDOWELL, Chairman.

The following House bills were read the first time:

•

By Mr. Hardeman—

A bill to incorporate the town of Arcade, Jackson county

Referred to Committee on Corporations.



By Mr. Reese—

A bill to amend the Charter of the City of Brunswick.

Referred to Committee on Corporations.

By Messrs. Hardeman and Holder—

A bill to amend the Charter of the town of Maysville, Georgia.

Referred to Committee on Corporations.

The following House bills were read the second time:

By Mr. Cannon—

A bill to prohibit fishing in Little Tennessee River and to prescribe a penalty for the violation of the same, and for other purposes.

By Messrs. Burch and Jones—

A bill to amend an Act approved December 1st, 1893; and to prohibit for establishing eight road districts in Lawrence county, and for other purposes.

By Mr. McMichael—

A bill to incorporate the City of Pepperton, and for other purposes.

The following Senate bill was read the second time:

By Mr. Irwin—

A bill to require ordinary and county commissioners to pay costs to officers.

The following House bills were read the third time and put upon their passage:

By Mr. Barrett—

A bill to extend the corporate limits of Martin, and for other purposes.

Report of Committee was agreed to.

Upon the passage of this bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Walters—

A bill to amend the school laws of the City of Moultrie, and for other purposes.

Report of Committee was agreed to.

Upon the passage of this bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Fields—

A bill to amend the Act amending, etc., the several Acts granting corporate authority to the town of Lithonia in DeKalb county, and for other purposes.

Report of Committee was agreed to.

Upon the passage of this bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Redding—

A bill to repeal an Act creating the City Court of Barnesville, Pike county, and all amendments thereto.

Report of Committee was agreed to.

Upon the passage of this bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Roberts—

A bill to amend an Act incorporating the City of Eastman, Dodge county To define the limits of said City of Eastman, and for other purposes.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Guyton—

A bill to authorize the trustees of Effingham Academy to use and assets to build and equip a school building at Springfield, Effingham county, and for other purposes.

Report of Committee was agreed to.

Upon the passage of this bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Miller—

A bill to incorporate the Waresboro School District.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Garlington—

A bill to extend the corporate limits of the village of Summerville.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. McConnell and Simpson—

A bill to amend Section 3 of an Act incorporating City of Lawrenceville.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. McFarland—

A bill to provide a new Charter for the City of Darien.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Edmondson—

A bill to create and incorporate the village of Summerville.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. McFarland—

A bill to provide for the establishment of a system of public schools for the City of Darien.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Miller—

A bill to provide and establish a new Charter for the City of Waycross.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Williams—

A bill to create a Board of Commissioners of Roads and Revenues for Madison.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Johnson—

A bill to abolish the County Court of Jeff Davis county, and for other purposes.

Report of Committee was agreed to.

Upon the passage of this bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Paulk—

A bill to amend an Act incorporating the town of Sparks, Berrien county, and for other purposes.

Report of Committee was agreed to.

Upon the passage of this bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority was passed.



By Messrs. Wohlwender and Slade—

A bill to amend “An Act to establish a City Court in Columbus, Muscogee county,” and the several acts amendatory thereto, so as to change and fix the salary of the judge of said court and provide for the payment thereof; and for other purposes.

Report of Committee was agreed to.

Upon the passage of this bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Redding—

A bill to repeal an Act incorporating the town of Piedmont, Pike county

Report of Committee was agreed to.

Upon the passage of this bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Gastley—

A bill to amend the Charter of the City of Clarksville so as to authorize the mayor and councilmen

to compel the property owners to build sidewalks, and for other purposes.

•Report of Committee was agreed to.

Upon the passage of this bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. McConnell and Simpson—

A bill to amend Section 52 of an Act incorporating the City of Lawrenceville, and for other purposes.

Report of Committee was agreed to.

Upon the passage of this bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Daniel—

A bill to amend Local Act of 1899, relating to water, light and sewerage of the City of Marietta, Cobb county.

Report of Committee was agreed to.

Upon the passage of this bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. Moss and Daniel—

A bill to amend Local Act of 1906, relative to water and light for the City of Marietta, Cobb county

Report of Committee was agreed to.

Upon the passage of this bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority was passed.

The following House bill was read the second time:

By Mr. Wright—

A bill to amend an Act creating a Board of Commissioners of Roads and Revenues in the county of Stewart County, and for other purposes.

Upon motion the Senate adjourned until tomorrow morning at nine o'clock.

## SENATE CHAMBER, ATLANTA, GEORGIA,

SATURDAY, AUGUST 7th, 1909.

The Senate met pursuant to adjournment at 9 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Akin	Irwin	McCollum
Bowen	Johnson	McClure
Burwell	Jackson	Patterson
Blackwell	Kemp	Price
Callaway of 10th	King	Perry
Callaway of 29th	Longley	Pitts
Calhoun	Mays	Rutherford
Cates	Murray	Slater
Conley	Morris	Sellers
Day	Mathews	Stevens
Gordy	McLean	Ward of 5th
Griffith	McDowell	Womble
Harrell	McCurry	Wood
Harben	McWilliams	Mr. President

Those absent were Messrs:

Rudicil	Ward of 7th
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On motion the reading of the journal was dispensed with.

On motion of Senator Perry, Senate Resolution

No. 23 was taken from the table and put upon the Calendar.

The following Senate bills were read first time:

By Messrs. Slater and Perry—

A bill to establish a uniform warehouse receipt in this State.

Referred to Committee on General Judiciary

By Mr. Day—

A bill to amend the Act incorporating the town of East Ellijay in Gilmer county.

Referred to Committee on Corporations.

By Mr. Gordy—

A bill to amend the Act establishing a system of waterworks for the town of Buena Vista.

Referred to Committee on Special Judiciary.

By Mr. Gordy—

A bill to establish and maintain a system of electric lights for the town of Buena Vista.

Referred to Committee on Special Judiciary.

The following resolutions were read second time and adopted.

By Mr. Jackson—

A resolution authorizing the President of the Senate, Speaker of the House, and the other officers, namely: Secretary of Senate, Clerk of House, two members of Enrolling Committee and Chairman of Auditing Committee and Postmistress to remain at the Capitol five days after the adjournment and that they receive their regular per diem.

By Mr. McCurry—

A resolution appointing a Committee of three from Senate and five from the House to extend to the officer of the Department of the Gulf a cordial welcome.

Committee on part of Senate are: Senators McCurry, McClure, McWilliams.

The following unfinished business was taken up:

By Messrs. Callaway and Callaway—

A bill for the protection of game animals and game birds and to provide for a game warden for the State.

Report of Committee was agreed to.

Upon the passage of the bill the ayes and nays were ordered and the vote is as follows:

Those voting in the affirmative were Messrs:

Akin	Griffith	McLean
Bowen	Harrell	McCollum
Burwell	Kemp	McClure
Blackwell	King	Patterson
Calloway of 10th	Longley	Price
Calloway of 29th	Mays	Slater
Cates	Murray	Stevens
Gordy	Mathews	Ward of 5th

Those voting in the negative were Messrs:

Calhoun	Morris	Rutherford
Day	McCurry	Womble
Harben	Perry	
Irwin	Pitts	

Those not voting were Messrs:

Conley	McWilliams	Wood
Johnson	Rudicil	Mr. President
Jackson	Sellers	
McDowell	Ward of 7th	

Ayes 24; Nays 10.

The bill having received the requisite Constitutional majority was passed as amended and ordered immediately transmitted to the House. The amendments are as follows:

Amend by adding at the end of Section 2 the following: "Who shall give his entire time and atten-

tion to the services of the State as such game commissioner.

Amend Section 8 by adding the following sentence after the last word in paragraph 8: If there should be any money in the Treasury at the end of any year to the credit of the game protection fund the amount so remaining shall become a part of the public school fund of the State.

Amend by inserting in Section 4 after the word birds in the 3d line of printed bill the words: or of fish.

Amend caption by inserting after the words birds the words: and fish.

Amend Section 11 by striking out fox, squirrel and gray squirrel at the end of Section.

Amend Section 14 by striking out the words: July 1st, and inserting the words: September 1st in 9th line.

Amend by adding at the end of Section 14 the following: And it shall be unlawful at any time of the year for any person to scatter on the lands of any person, whether it be the owner of the land or not, any corn wheat or any grain or other bait for the purpose of drawing to the lands where such bait is scattered or placed, game birds or doves, for the purpose of shooting at or killing such game birds



or doves and for a violation of this provision such person or persons shall be guilty of a misdemeanor and punished as prescribed in 1039 Criminal Code.

Amend Section 6, line 14, by adding the words: and legal fees paid to justice of the peace and constables.

Amend Section 14, line 7, by striking the word: June and insert the word: January Also, in line 8 after the word fox and insert the word squirrel.

Amend Section 7, line 9, the following, after the word license the following words: Provided they have written consent from the land owner.

Amend Section 18, line 2, by striking "or land leased by him" and part of line 2 to the word "who" and in line 4, by striking the word tenant.

Amend Section 18, line 5, after the word "deer" by adding any other animal not mentioned in this Act.

Amend Section 15, line 4, the word "fifty" be stricken and twenty-five substituted.

Amend caption by inserting after the word purposes the following, and provide penalties therefor.

Mr. Irwin, Chairman of the Committee on Corporations, submits the following report:

*Mr President:*

The Committee on Corporations has had under consideration the following House bills, which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to amend an Act to consolidate, amend and supersede the several Acts incorporating the town of Wadley in Jefferson county and the Acts amendatory thereof approved August 23d, 1905.

A bill to amend the Charter of the City of Toccoa and for other purposes.

A bill to empower the mayor and aldermen of the City of Milledgeville to sell and convey portions of the streets.

A bill to repeal an Act to incorporate the town of Yonker in the county of Dodge to confer certain powers.

A bill to incorporate and establish the City of Ellijay in the county of Gilmer.

A bill to amend an Act entitled, "An Act to incorporate the City of Collins in Tatnall county, approved August 22d, 1905, to change the boundary of said city from a circle to a square.

A bill to create a new Charter for the City of McRae.

A bill to amend the Charter of the town of Maysville.

A bill to amend the Charter of the City of Brunswick.

A bill to incorporate the town of Arcade in the county of Jackson.

Respectfully submitted,

JNO. R. IRWIN, Chairman.

Mr. Burwell, Chairman of the Committee on Appropriations, submits the following report:

*Mr. President:*

The Committee on Appropriations has had under consideration the following House bill, which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to appropriate \$10,000.00 to the State Board of Entomology for 1909-10 to be used in experimental work on Black Root or with disease of cotton, and for other purposes.

Respectfully submitted,

BURWELL, Chairman.

Mr. Bowen, Vice-Chairman of the Committee on Banks, submitted the following report:

*Mr. President:*

The Committee on Banks has had under consideration the following bill of the House, which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to add the town of Guyton to the list of State depositories.

Respectfully submitted,

BOWEN, Vice-Chairman.

Mr. Womble, Chairman of the Special Judiciary Committee, submitted the following report:

*Mr. President:*

The Committee on Special Judiciary have had under consideration the following House bills, which the Committee instructed me to report the same back to the Senate with the recommendation they do pass.

A bill No. 558. An Act to amend an Act establishing the City Court of Nashville in Berrien county

A bill No. 559. An Act to establish a City Court at Zebulon, Pike county

Respectfully submitted,

M. D. WOMBLE, Chairman.

Mr. Patterson, Chairman of the Committee on Engrossing, submitted the following report:

*Mr President:*

The Committee on Engrossing has examined and found properly engrossed and ready for transmission to the House, the following bills and resolution, to-wit:

A bill to transfer the county of Tatnall from the Middle Judicial Circuit to the Atlantic Judicial Circuit.

A bill to confer upon counties and municipalities in Georgia power and authority to grant franchises to corporations for construction and operation of lines of electric wires, conduits, etc., for furnishing power.

A bill to amend an Act to prescribe the manner of letting public printing.

A bill to make it a misdemeanor to obtain food, lodging, etc., at hotels, boarding houses or eating houses with intent to defraud.

A resolution to authorize the State of Georgia to make an exchange of about six (6) acres of land in Cobb county 210 feet from the right of-way of the W & A. R. R. for an equal amount of land adjoining the right-of-way of said railroad.

Respectfully submitted,

L. F. PATTERSON, Chairman.

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House has passed by the requisite Constitutional majority the following bills of the House, to-wit:

A bill to repeal the Act incorporating the City of Harmony Grove. •

A bill to incorporate the City of Commerce.

A bill to amend the Act establishing a system of public schools in Sumter county

A bill to provide for additional funds for the maintenance of the Agricultural and Industrial schools established in pursuance of the Act of 1906.

A bill to amend the Charter and extend the limits of the town of Calhoun.

A bill to authorize the establishment and maintenance of a system of public schools in the town of Martin.

A bill to amend the Charter of the City of Macon.

A bill to authorize the Commissioner of Pensions to pay the amount due the husband, which is placed on the pension roll to be paid for the following year and dies before the first of January following, to his widow.

A bill to amend the Charter of the City of Griffin.

A bill to amend the Charter of the town of Calhoun, in Gordon county

A bill to make unlawful the sale of near beer within the limits of the county of Ware.

A bill to protect the live stock of the State of Georgia from all contagious or infectious diseases.

A bill to amend the Act establishing the City Court of Blakely

A bill to amend the Act consolidating and superseding the several Acts incorporating the town of Rockmart in the county of Polk.

Also, the House has adopted the following resolutions of the House, to-wit:

A resolution to pay a pension to Mrs. Susan P Ford, of Effingham county

A resolution to pay a pension to Archibald McKinley.

The following Senate resolution was read the second time:

By Mr. King—

A resolution to authorize the State Librarian to furnish the various Acts of the General Assembly and all Supreme and Appellate Court reports to the various new counties, and for other purposes.

The following House bill was read the second time:

By Messrs. Heard and Beacham—

A bill to require the Commissioners of Roads and Revenues of Dooly county to work on roads within the corporate limits of the municipalities of said county

By Messrs. Heard and Beacham—

A bill amending an Act to create a Board of Com-



missioners of Roads and Revenues for Dooly county, and for other purposes.

The following bills of the House were read the first time:

By Mr. Boyd—

A bill to amend the Charter of the City of Griffin.

Referred to Committee on Military Affairs.

By Mr. Hall—

A bill to amend the Charter of the City of Macon.

Referred to Committee on Corporations.

By Mr. Strong—

A bill to amend an Act establishing the City Court of Blakely

Referred to Committee on General Judiciary

By Mr. Calbeck—

A bill to amend the Charter and extend the corporate limits of the town of Calhoun in Gordon county, Georgia.

Referred to Committee on Corporations.

By Mr. Upshaw—

A bill to authorize the Commissioner of Pensions to pay the amount due the husband which is placed on the pension rolls to be paid a pension for the following year and dies before the 1st of January following, to his widow, and for other purposes.

Referred to Committee on Pensions.

By Mr. Vinson—

A bill to empower the mayor and aldermen of the City of Milledgeville to sell and convey portions of the streets.

Referred to Committee on Corporations.

By Mr. Meadows—

A bill to amend an Act approved August 14, 1908, entitled an Act to establish a system of public schools in Lumber City

Referred to Committee on Education.

By Mr. Barrett—

A bill to authorize the establishment and maintenance of a system of Public Schools in the town of Martin.

Referred to Committee on Education.

By Mr. Miller—

A bill to make unlawful the sale of near beer in the County of Ware.

Referred to Committee on Special Judiciary

By Messrs. Johnson and Reid—

A bill to protect the live stock of the State of Georgia from all contagious and infectious diseases.

Referred to Committee on Agriculture.

By Mr. Calbeck—

A bill to amend the Charter of the town of Calhoun, in Gordon County.

Referred to Committee on Corporations.

By Mr. Ault—

A bill to amend an Act to consolidate and supersede the several Acts incorporating the town of Rockmart, in the County of Polk.

Referred to Committee on Corporations.

By Messrs. Hardeman and Holder—

A bill to repeal an Act entitled an Act to incorpo-

rate the City of Harmony Grove approved November 26th, 1901.

Referred to Committee on Corporations.

By Messrs. Hardeman and Holder—

A bill to incorporate the City of Commerce.

Referred to the Committee on Corporations.

By Messrs. Brown and Anderson—

A bill to provide for additional funds for the maintenance, support and equipment of Agricultural and Industrial Schools established in pursuance of an Act approved August 8, 1905, providing for the establishment of such schools in each Congressional District of this State.

Referred to Committee on Appropriations.

The following House resolutions were also read first time:

By Mr. MacFarland—

A resolution to pay Archibald McKinley pension due him.

Referred to Committee on Pensions.

By Mr. Guyton—

A resolution to pay a pension to Mrs. Susan P Ford, widow of the late E. P Ford, of Effingham County, Georgia.

Referred to Committee on Pensions.

Mr. Morris, Chairman of the Committee on Banks, submits the following report:

*Mr President:*

The Committee on Banks has had under consideration the following House bills which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to amend Section 982 of Volume 1 of the Code of Georgia of 1895, providing for the selection by the Governor of banks in certain cities and towns therein named as State Depositories and the several Acts amendatory thereof so as to add the town of Summerville to the list of such cities and towns.

A bill to amend Section 982, Volume 1 of the Code of 1895 so as to add Chipley, in Harris County, to the list of State Depositories.

A bill to amend Section 982, Volume 1 of the Code

of 1895 so as to add Homerville, in the County of Clinch, to the list of State Depositories.

Respectfully submitted,

W S. MORRIS, Chairman.

Senator Burwell was added to the Committee on Banks and Banking.

The following House bills were read second time:

By Mr. Guyton—

A bill to amend Section 982 of the Code so as to add the town of Guyton to the list of State Depositories.

By Mr. Reese—

A bill to amend the Charter of the City of Brunswick.

By Mr. Redding—

A bill to establish and create the City Court of Zebulon.

By Messrs. Hardeman and Holder—

A bill to amend the Charter of the town of Maysville.

By Mr. Meadows—

A bill to create a new Charter for the City of McRae.

By Mr. Smith—

A bill to incorporate and establish the City of Ellijay

By Messrs. Hardman and Holder—

A bill to incorporate the town of Arcade.

By Mr. Barrett—

A bill to amend the Charter of the City of Toccoa.

By Mr. Wright, of Stewart—

A bill to repeal an Act creating a County Court in each County of this State so far as the same relates to the County of Stewart.

By Mr. Paulk—

A bill to amend the Act establishing the City Court of Nashville.

By Mr. Roberts—

A bill to repeal the Act incorporating the town of Yonker.

By Mr. Smith—

A bill to amend an Act incorporating the City of Collins.

By Mr. Hardeman—

A bill to amend an Act consolidating and superseding the several Acts incorporating the town of Wadley

By Mr. Edmondson—

A bill to amend Section 982 of the Code so as to add the town of Summerville to the list of State Depositories.

By Mr. Drawdy—

A bill to amend Section 982 of the Code so as to add the town of Homerville to the list of State Depositories.

By Mr. Ellison—

A bill to amend Section 982 of the Code so as to add Chipley to the list of State Depositories.



The following Senate bills were read third time and put upon their passage:

By Mr. Mays—

A bill to amend the Charter of the City of Griffin.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. McLean —

A bill to amend the Act incorporating the City of Collins.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite Constitutional majority, was passed.

The following House bills were read third time and put upon their passage:

By Messrs. Alexander, Brown and McElreath—

A bill to repeal the Act incorporating the town of Oakland City

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27,  
nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Brown—

A bill to establish a system of Public Schools for the town of McDonough.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27,  
nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Messrs. Burch and Jones—

A bill to amend the Act establishing eight road districts in Laurens County

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. White—

A bill to amend the Act establishing the City Court of Sylvania.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. McElreath—

A bill to amend the Act fixing the time of adjournment of Superior and City Courts of this State in such Counties where said courts hold six terms each year.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Hardeman—

A bill to authorize the town of Wrens to establish a system of Public Schools.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27,  
nays 0

The bill having received the requisite Constitutional majority, was passed.

By Mr. McMichael—

A bill to incorporate the City of Pepperton.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27,  
nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Evans—

A bill to authorize and direct the County Commissioners of Bibb County to pay certain attorneys' fees.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Alexander—

A bill to consolidate and supersede the several Acts incorporating the town of Decatur.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Messrs. Jones, Parker and Lovejoy—

A bill to incorporate the City of Manchester.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Tarver—

A bill to codify the various Acts incorporating the City of Dalton.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Griffin—

A bill to establish a new Charter for the City of Jeffersonville, in Twiggs County

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Johnson—

A bill to establish the City Court of Hazlehurst.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Messrs. Alexander, Brown and McElreath—

A bill to establish a new Charter for the City of Atlanta so as to extend the limits.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. McCarthy—

A bill to regulate Justices of the Peace within the corporate limits of cities having a population of not less than 54,000 and not more than 80,000 inhabitants, and for other purposes.

Report of the Committee was agreed to.

Upon the passage of this bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Wright—

A bill to amend an Act creating a Board of Commissioners of Roads and Revenues for Stewart County, and for other purposes.

Report of the Committee was agreed to.

Upon the passage of this bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Miller—

A bill to repeal an Act incorporating the town of Millwood, Ware County, and for other purposes.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Roberts—

A bill to change the time of holding the Superior



Court of Dodge County, in the Ocone Circuit, and for other purposes.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. McCarthy—

A bill to fix and regulate fees for Constables of Militia Districts of the State which are now or may hereafter be located in cities having a population of not less than 54,000 nor more than 80,000 inhabitants, and for other purposes.

Report of the Committee was agreed to.

Upon the passage of this bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Wright—

A bill to amend the Charter of Cairo so as to em-

power and authorize the Mayor and Council to order an election for additional bonds.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Barrett—

A resolution to provide for visiting of convict camps.

Report of the Committee was agreed to.

Upon the passage of this resolution the ayes were 27, nays 0.

The resolution having received the requisite Constitutional majority, was passed.

By Mr. Garlington—

A bill to increase the number of terms of Superior Court of Richmond County

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Messrs. McCarthy and Anderson—

A bill to authorize the proper County authorities in all Counties in this State having a city with a population of not less than 54,000 and not more than 75,000 to raise certain sums by taxation for educational purposes.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Miller—

A bill to amend an Act approved August 20, 1906, to create and incorporate the City of Edison, in lieu of the town of Edison.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Calbeck—

A bill to amend the Charter of the town of Calhoun, and for other purposes.

Report of the Committee was agreed to.

Upon the passage of the bill, the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Redding—

A bill to repeal an Act to repeal the Charter of Zebulon approved December 22, 1890.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Messrs. Lord and Joiner—

A bill to amend the Charter of the City of Tennessee.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. McCutchen—

A bill to repeal, so far as the same effects Heard County, the road law approved December 24, 1896.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Redding—

A bill to repeal an Act entitled an Act to create a County Court in each County in the State of

Georgia so far as the same applies to the County of Pike.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Calbeck—

A bill to amend an Act to establish a new Charter for the town of Calhoun approved December 13, 1895.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Messrs. Evans, Ellis and Hall—

A bill to regulate salaries of stenographers in Counties having cities of between 23,000 and 39,000 inhabitants.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. MacFarland—

A bill to authorize the County of McIntosh to issue bonds in a sum not exceeding \$60,000 for the construction of roads and bridges, and providing for an election for such purposes.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Cannon—

A bill to prohibit fishing in Little Tennessee River and its tributaries in Rabun County in any other way except with hook and line, and for other purposes.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Burch—

A bill to amend an Act establishing a new Charter for the City of Dublin approved August 22, 1905, and the several Acts amendatory thereof.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27  
nays 0.

The bill having received the requisite Constitutional majority, was passed, as amended.

The amendments are as follows:

Amend by adding new Section to be known as Section 5, and numbering the succeeding Sections in their order:

SEC. 5. Be it further enacted, That from and after the passage of this Act, no member of the Board of Education of the City of Dublin shall be eligible to vote for any teacher or superintendent of schools in said City who is related to any applicant for a teacher or superintendent's place in said school, or for re-election to a teacher's place in said schools.



By Messrs. Tuggle and Lovejoy—

A bill to amend the Act establishing the City of LaGrange.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

Mr. Perry offered the following amendments to the report of the Committee on Rules fixing the order of business:

By Mr. Perry—

To amend the report by adding that Senate Resolution No. 23 be made the special and continuing order immediately after the consideration of the Appropriation Act.

On the adoption of this amendment the ayes and nays were ordered, and the vote is as follows:

Those voting in the affirmative were Messrs.:

Cates  
Harrell  
Jackson

Murray  
McLean  
Perry

Womble

Those voting in the negative were Messrs.:

Akin	Irwin	McClure
Bowen	Johnson	Patterson
Burwell	Kemp	Price
Blackwell	King	Pitts
Callaway of 10th	Longley	Rutherford
Callaway of 29th	Morris	Slater
Calhoun	Mathews	Sellers
Conley	McCurry	Ward of 5th
Day	McCollum	

Those not voting were Messrs.:

Gordy	McDowell	Ward of 7th
Griffith	McWilliams	Wood
Harben	Rudieil	Mr. President
Mays	Stevens	

Ayes 7; Nays 26.

The amendment was lost.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House has adopted the following resolutions of the House, to-wit:

A resolution to pay the Sergeant-at-Arms of the McLendon Investigation Committee the sum of \$82.52.

A resolution to pay the stenographers to the

McLendon Investigation Committee the sum of six hundred and twelve dollars and fifty cents.

Also,

The House has passed, by the requisite Constitutional majority, the following bills of the House, to-wit:

A bill to create a new Charter for the City of Jackson.

A bill to appropriate the sum of \$8,000 for the purpose of building two negro reformatories, etc., upon the lands of State farm at Milledgeville.

A bill to amend the Act fixing the corporate limits of the City of Ocilla.

A bill to authorize and empower the Rome and Northern R. R. to cross the tracks of the Western and Atlantic R. R.

A bill to amend an Act incorporating the City of Sylvester

A bill to create an Auditor of State Accounts.

The following report of the Committee on Rules was read and adopted:

*Mr President :*

The Committee on Rules submits the following report:

Resolved, That Senate Bill No. 64 be made the special order immediately

Resolved, That immediately following this, Senate Bill No. 114 be made the special order.

Whereas, The Committee on Rules having had under consideration various resolutions requesting special orders for House and Senate bills, involving long and continuous discussion, and

Whereas, It is of vital interest to the State that the Tax Act and Appropriation Bill be considered on Monday morning, August 9th, be it

Resolved, That no special order be fixed for other general bills or resolutions until after the disposition of the Tax Act and Appropriation Bill.

Resolved further, That after said Act and Bill are disposed of, that all resolutions now before this Committee be considered and disposed of.

Resolved further, That during the remainder of the session no Senator shall be allowed to debate any question longer than ten minutes, or be allowed longer than 3 minutes in explaining his vote.

Resolved further, That for the remainder of the session the Senate shall convene at 9 o'clock, adjourn at 1:30 o'clock; re-convene at 3 o'clock and adjourn at 5 o'clock each day until further ordered, except the Senate shall convene at 10 o'clock on Monday morning.

Respectfully submitted,

JOHN M. SLATON, Chairman.

The following report of the Committee on Rules was read and adopted:

ATLANTA, GEORGIA,

AUGUST 7, 1909.

The following message was received from his Excellency the Governor, through his Secretary, Mr. Blackburn:

*Mr President:*

I am directed by his Excellency the Governor, to deliver to the Senate a sealed communication to which he respectfully invites the consideration of your honorable body in Executive session:

Mr. Callaway, Chairman of the Committee on Counties and County Matters, submits the following report:

*Mr President:*

The Committee on Counties and County Matters has had under consideration the following bills of the Senate and House, and I am instructed to report the same back to the Senate with the recommendation that they do pass, to-wit:

A bill to be entitled an Act to authorize the State Librarian to furnish the various Acts of the General Assembly and all reports of the Supreme and Appellate Courts to the various new Counties.

A bill to be entitled an Act approved July 30, 1908, amending an Act to create a Board of Commissioners of Roads and Revenues.

A bill to be entitled an Act to require the Commissioners of Roads and Revenues for the County of Dooly

Respectfully submitted,

CALLAWAY, Chairman.

The following Senate bills were read third time and put upon their passage:

By Mr. Rutherford—

A bill to preserve to benevolent, fraternal, social, humane and charitable organizations the right to

the exclusive use of names adopted and used by them.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 25, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Burwell—

A bill to amend the Act requiring the Judges of the Superior and City Courts of this State to decide all motions for new trials and other motions before him.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority, was passed.

The following House bills and resolutions were read first time:

By Mr. Hall—

A bill to create an Auditor of State Accounts.

Referred to Committee on Finance.

By Mr. McMichael—

A bill to create a new Charter for the City of Jackson.

Referred to Committee on Corporations.

By Mr. Ford—

A bill to amend an Act incorporating the City of Sylvester.

Referred to Committee on Corporations.

By Mr. Henderson—

A bill to amend an Act to fix the corporate limits of the City of Ocilla.

Referred to Committee on Corporations.

By Mr. Hardeman—

A resolution to pay the stenographers of the McLendon Investigation Committee the sum of six hundred and twelve dollars and fifty cents.

Referred to Committee on Appropriations.

By Mr. Anderson—

A resolution to pay the Sergeant-at-Arms of the



McLendon Investigation Committee the sum of \$82.52.

Referred to Committee on Appropriations.

By Messrs. Porter, Wright and others—

A bill to authorize and empower the Rome and Northern R. R. to cross the track of the Western and Atlantic Railroad.

Referred to Committee on W & A. R. R.

By Messrs. Vinson and Tuggle—

A bill to appropriate the sum of \$8,000 for the purpose of building two negro reformatories, etc., upon the lands of the State in Baldwin county

Referred to Committee on Appropriations.

On motion the Senate adjourned until Monday morning at 10 o'clock.

## SENATE CHAMBER, ATLANTA, GEORGIA,

MONDAY, AUGUST 9th, 1909.

The Senate met pursuant to adjournment at 10 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll the following members answered to their names:

Akin	Irwin	McCullum
Bowen	Johnson	McClure
Burwell	Jackson	Patterson
Blackwell	Kemp	Price
Callaway of 10th	King	Perry
Callaway of 29th	Longley	Pitts
Calhoun	Mays	Rutherford
Cates	Murray	Slater
Conley	Morris	Sellers
Day	Mathews	Stevens
Gordy	McLean	Ward of 5th
Griffith	McDowell	Womble
Harrell	McCurry	Wood
Harben	McWilliams	Mr. President

Those absent were Messrs.:

Rudicil                      Ward of 7th

Mr. Perry gave notice that he would move to reconsider the action of the Senate on Saturday in adopting the report of Committee on Rules.

The Journal of Saturday was read and approved.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House has passed by a vote of 129 to 40 the following resolution by Mr. Hardeman, of Jefferson:

Resolved by the House of Representatives, That S. G. McLendon be, and he is hereby removed from the office of Railroad Commissioner of Georgia.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House has adopted the following resolution of the House, to-wit:

A resolution to pay pension to Mrs. T. E. Morgan, of Paulding County

A resolution to repay W. C. Allen, Oil Inspector at Wrightsville \$10.80 erroneously paid by him to the State of Georgia.

A resolution to furnish the County of Liberty for the use of the Ordinary, such Volumes of the Georgia Reports as are missing or mutilated.

A resolution to pay pension to Mrs. Lottie E. Coker, of Fulton County, for 1907

A resolution permitting Committee to visit School for Deaf during interim between session 1909 and 1910.

A resolution to provide for the meeting of the Committee on the Academy for the Blind, of the Senate and House for the purpose of visiting and inspecting the Academy while the General Assembly is not in session.

A resolution for the relief of Claude Hancock and John Bruce.

Also,

The House has passed, by the requisite Constitutional majority, the following bills of the House, to wit:

A bill to amend the Charter of the town of Lumpkin, in Stewart County

A bill to provide for the regular exchange between Georgia and other States of State documents, etc.

A bill to amend the Charter of the City of Griffin.

A bill to authorize the municipal authorities of any City having a population of not less than 54,000 nor more than 75,000 to establish and maintain a sanitarium for the care and treatment of tuberculosis, etc.

A bill to provide for the detachment of the County of Tatnall from the Middle Judicial Circuit.

A bill to legalize certain stock law fences in Georgia.

A bill to amend the Charter of the City of Sylvester, and extend the corporate limits.

A bill to establish a system of public schools in and for the City of Helena, Ga.

A bill to amend the Act incorporating the town of Mitchells, in the county of Pulaski.

A bill to authorize the authorities of any municipality having a population of not less than 54,000 nor more than 75,000 to establish and maintain a farm or other place of confinement for persons convicted of minor misdemeanors.

A bill to amend the Act creating a Board of Commissioners of Roads and Revenues for the County of Irwin.

A bill to create the office of corporation Clerk in this State.

A bill to reconvey to the City of Griffin certain grounds.

A bill to prohibit the sale of near beer in town of Shellman.

A bill to put in force the Constitutional amendment ratified at the election in 1908 providing for the payment of pensions to the widows of ex-Confederate soldiers.

A bill to amend the Act amending the Charter of the City of Sylvester

A bill to divide the ten Counties now composing the Brunswick Judicial Circuit and to form therefrom two Circuits to be known as Brunswick and Waycross Circuits, etc.

A bill to amend the Charter of the town of Adairsville, in Bartow County.

A bill to create a Board of Commissioners of Roads and Revenues for Jeff Davis County

A bill to amend the Act establishing the City Court of Abbeville, in and for the County of Wilcox.

A bill to provide for shipping and keeping with Ordinaries of this State by State Board of Health, diphtheritic antitoxin.

A bill to change the time of holding the Superior Court of Liberty County in the Atlanta Circuit.

A bill to amend the Charter of the City of Poulan.

A bill to make unlawful the sale of near beer and all imitations of beer in Telfair County

A bill to amend the Charter of the City of Athens so as to provide for a public hospital and to provide for raising funds for same.

A bill to amend an Act establishing a system of public schools for the town of Eastman.

A bill to incorporate the town of Woolsey, in the County of Fayette.

A bill to amend the Charter of the City of Toccoa so as to change the term of the Mayor.

A bill to amend an Act establishing the City Court of Quitman.

A bill to amend the Charter of the City of Atlanta.

A bill to amend the Charter of the City of Jefferson so as to provide for a system of electric lights and water works.

A bill to amend, consolidate and supersede the several Acts incorporating the City of Sylvania.

A bill to provide that the Treasurer of Georgia shall be ex-officio Bond Commissioner

A bill requiring the Board of Roads and Revenues of Stewart County to pay to the officers of Superior Court of Stewart County and the City Court of Lumpkin a reasonable compensation.

A bill to create the City Court of Lumpkin, in and for the City of Lumpkin.

A bill to repeal an Act incorporating the town of Clayton, in Rabun County

A bill to incorporate the City of Clayton, in Rabun County

A bill to amend, consolidate and supersede the Acts incorporating the town of Austell, in Cobb County

A bill to delegate to Counties having a City of not less than 54,000 nor more than 75,000 inhabitants full power and authority over sanitation within the County

A bill to provide for the codification of the laws of Georgia and to provide for the payment of expenses for same.

A bill to amend the Charter of the City of Tifton.

A bill to incorporate the town of Alamo in the County of Montgomery

The following bills of the House were read first time:

By Mr. Drawdy—

A bill to divide the ten Counties now composing



the Brunswick Judicial Circuit and to form there from two Circuits to be known as Brunswick and Waycross Circuits, etc.

Referred to Committee on General Judiciary

By Mr. McMichael—

A bill to legalize certain stock law fences in Georgia.

Referred to Committee on Agriculture.

By Mr. Meadows—

A bill to make unlawful the sale of near beer and all imitations of beer in Telfair County

Referred to Committee on Temperance.

By Mr. MacFarland—

A bill to provide for the detachment of Tatnall County from the Middle Judicial Circuit.

Referred to Committee on Special Judiciary

By Mr. McArthur—

A bill to incorporate the town of Alamo.

Referred to Committee on Corporations.

By Mr. Barrett—

A bill to amend the Charter of Toccoa.

Referred to Committee on Corporations.

By Mr. Harrington—

A bill to change the time of holding the Superior Court of Liberty County

Referred to Committee on General Judiciary

By Mr. McMahan

A bill to put in force the Constitutional amendment ratified at the election in 1908 providing for the payment of pensions to the widows of the ex-Confederate soldiers.

Referred to Committee on Appropriations.

By Mr. Hendricks—

A bill to amend the Charter of the City of Tifton.

Referred to Committee on Corporations.

By Messrs. Price and Johnson—

A bill to amend the Charter of Adairsville.

Referred to Committee on Corporations.

By Mr. Reid—

A bill to provide for the regular exchange between Georgia and other States of State documents, etc.

Referred to Committee on Public Library

By Mr. Meadows—

A bill to provide for a system of Public Schools in and for the City of Helena, and for other purposes.

Referred to Committee on Education.

By Mr. Ford—

A bill to amend the Act amending the Charter of the City of Sylvester.

Referred to Committee on Corporations.

By Mr. Ford—

A bill to amend the Charter of the City of Sylvester, to extend the corporate limits, etc.

Referred to Committee on Corporations.

By Mr Wright—

A bill to amend an Act approved December 18, 1902, Acts of 1902, pages 489 to 501, chartering the town of Lumpkin.

Referred to Committee on Corporations.

By Mr. Harvey—

A bill to amend an Act to establish a City Court of Abbeville, in and for the County of Wilcox.

Referred to Committee on Special Judiciary

By Mr. McMahan—

A bill to amend an Act to grant a Charter for the City of Athens approved Aug. 22, 1892, and the several Acts amendatory thereof so as to provide for a public hospital, and for other purposes.

Referred to Committee on Corporations.

By Mr. Peacock—

A bill to incorporate the town of Mitchells, in the County of Pulaski.

Referred to Committee on Corporations.

By Mr. Henderson—

A bill to amend an Act to create a Board of Commissioners of Roads and Revenues for the County of Irwin.

Referred to Committee on Counties and County Matters.

By Messrs. McMichael and Boyd—

A bill to reconvey to the City of Griffin certain grounds.

Referred to Committee on General Judiciary.

By Messrs. Hardeman and Gastley—

A bill to provide for shipping and keeping with the Ordinaries of this State by the State Board of Health diptheritic antitoxine.

Referred to Committee on Hygiene and Sanitation.

By Mr. Anderson—

A bill to amend an Act of August 14, 1908, to authorize the municipal authorities of any City having a certain population to establish and maintain

a farm or other place of confinement for persons convicted of minor misdemeanors.

Referred to Committee on Penitentiary

By Mr. Johnson—

A bill to create a Board of Commissioners of Roads and Revenues for Jeff Davis County

Referred to Committee on Counties and County Matters.

By Messrs. Sheppard, Griffin, and others—

A bill to provide for the codification of the laws of Georgia, and to provide for the payment of the expenses of the same.

Referred to Committee on General Judiciary

By Mr. Rogers—

A bill to prohibit the sale of near beer in the town of Shellman.

Referred to Committee on Temperance.

By Mr. Ford—

A bill to amend the Charter of the City of Poulan.

Referred to Committee on Corporations.

By Mr. Reid—

A bill to create in this State the office of Corporations Clerk.

Referred to Committee on Finance.

By Mr. Faircloth—

A bill to prohibit the sale of near beer and other similar beverages in the County of Johnson.

Referred to Committee on Temperance.

By Mr. Boyd—

A bill to amend the Charter of the City of Griffin.

Referred to Committee on Corporations.

By Mr. Pope—

A bill to amend an Act establishing the City Court of Quitman.

Referred to Committee on Special Judiciary.

By Mr. Anderson—

A bill to authorize the municipal authorities of any City having certain populations to establish

and maintain a sanitarium for the care and treatment of tuberculosis.

Referred to Committee on Hygiene and Sanitation.

By Mr. Anderson—

A bill to delegate to Counties having a city with certain population full power and authority over sanitation within the county.

Referred to Committee on Hygiene and Sanitation.

By Messrs. Alexander, McElreath and Brown—

A bill to amend the Charter of the City of Atlanta.

Referred to Committee on Corporations.

By Messrs. Hardeman and Holder—

A bill to amend the Charter of the City of Jefferson so as to provide for a system of electric lights and water works.

Referred to Committee on Corporations.



By Mr. Mintor—

A bill to incorporate the town of Woolsey.

Referred to Committee on Corporations.

By Mr. White—

A bill to amend, consolidate and supersede the several Acts incorporating the City of Sylvania.

Referred to Committee on Special Judiciary

By Mr. Cannon—

A bill to incorporate the City of Clayton, in Rabun County

Referred to Committee on Corporations.

By Mr. Cannon—

A bill to repeal the Act incorporating the town of Clayton.

Referred to Committee on Corporations.

By Mr. Wright—

A bill to require the Commissioners of Roads and Revenues of Stewart County to pay the officers of

the Superior Court and City Court reasonable compensation.

Referred to Committee on Counties and County Matters.

By Mr. Moss—

A bill to amend the Act consolidating the several Acts incorporating the town of Austell.

Referred to Committee on Corporations.

By Mr. Peacock—

A bill to provide that the Treasurer of Georgia shall be ex-officio Bond Commissioner.

Referred to Committee on Finance.

By Mr. Wright—

A bill to establish the City Court of Lumpkin in and for the County of Stewart.

Referred to Committee on Special Judiciary

By Messrs. McCrory, Davis, and others—

A bill to regulate the registration of voters and

making up of registration lists for special elections in this State.

Referred to Committee on General Judiciary

By Mr. Roberts—

A bill to amend an Act approved August 23, 1905, also to amend an Act approved August 10, 1906, establishing the City Court of Eastman.

Referred to Committee on Special Judiciary

By Mr. Whiteley—

A bill to amend an Act creating a Board of Commissioners of Glascock County.

Referred to Committee on Counties and County Matters.

By Messrs. Boyd, Hill and others—

A bill to authorize electric, street, suburban and interurban railway companies to acquire by purchase, etc., the stock, property rights, and franchises of other such companies and of companies formed to generate electricity.

Referred to Committee on Corporations.

By Mr. Hardeman—

A bill to make additional appropriation to the Board of Health for the manufacture and transformation of virus for the treatment of rabies or hydrophobia.

Referred to Committee on Appropriations.

By Mr. Anderson--

A bill to authorize any County having a City with a certain population to lay out, maintain, regulate, etc., a system of drainage.

Referred to Committee on Hygiene and Sanitation.

By Mr. Alexander—

A bill to provide that there shall be two Assistant State Librarians, and to fix their salaries.

Referred to Committee on Public Library

The following House resolutions were also read first time:

By Mr. Alexander—

A resolution to empower the State Librarian to

offer a ten per cent. discount to book dealers buying from the State Library

Referred to Committee on Public Library

By Messrs. Hardeman and Holder—

A resolution to pay W L. Williamson \$100.00, and for other purposes.

Referred to Committee on Appropriations.

By Mr. Alexander—

A resolution directing the purchase of lands near Chattanooga, in the State of Tennessee, for increasing the facilities of the Western and Atlantic Railroad, and appropriating the necessary funds therefor.

Referred to Committee on W & A. R. R.

By Messrs. White and Johnson—

A bill relating to the liabilities of common carriers by railroads to their employees in certain cases.

Referred to Committee on Labor and Labor Statistics.

By Mr. Huie—

A bill to prevent the adulteration or misbranding of agricultural seeds.

Referred to Committee on General Agriculture.

By Messrs. Guyton and McCarthy—

A bill to allow common carriers to grant passes to former employees under certain conditions.

Referred to Committee on Railroads.

By Mr. Cannon—

A bill to repeal an Act to incorporate the town of Clayton.

Referred to Committee on Corporations.

The following House resolutions were also read first time:

By Mr. Wright—

A resolution to reimburse Major Jefferson Davis Dunwoody, of the National Guard of Georgia, in the sum of \$98.50 expended by him for the good of the service.

Referred to Committee on Appropriations.

By Mr. Hall—

A resolution to authorize the Governor to draw his warrant in favor of J Pope Brown, Treasurer, for the sum of \$4,812.57, the amount of decree against the State in case of R. E. Park, Treasurer, vs. Neal Bank.

Referred to Committee on Appropriations.

By Messrs. Alexander, Brown and McElreath—

A resolution providing for the payment to Chas. P Byrd, State Printer, the sum of \$550.00.

Referred to Committee on Appropriations.

By Mr. Alexander—

A resolution to appropriate a sufficient amount of money to meet a deficiency in the amount available to meet the cost of publishing new volumes of Supreme Court and Court of Appeals Reports for the year of 1909.

Referred to Committee on Appropriations.

By Mr. Harrington—

A resolution to furnish to the County of Liberty,

for the use of the Ordinary, such Volumes of the Georgia Reports as are missing or mutilated.

Referred to Committee on Public Library

By Mr. Brown—

A resolution to pay pension of Mrs. Lottie E. Coker, of Fulton County, for 1907

Referred to Committee on Pensions.

By Messrs. Holder and Hardeman—

A resolution for the relief of Claude Hancock and John Bruce.

Referred to Committee on Finance.

By Mr. Faircloth—

A resolution to pay W. C. Allen, oil inspector at Wrightsville, \$10.80 erroneously paid by him to the State of Georgia.

Referred to Committee on Finance.

By Mr. Calbeck—

A resolution to provide for the meeting of the Committees on the Academy for the Blind of the



Senate and House, for the purpose of visiting and inspecting the Academy while the General Assembly is not in session.

Referred to Committee on Academy for Blind.

By Mr. Huie—

A resolution permitting Committees to visit School for Deaf during interim between sessions 1909 and 1910.

Referred to Committee on School for Deaf.

By Mr. Helms—

A resolution to pay pension to Mrs. F E. Morgan, of Paulding County, widow of W H. Morgan.

Referred to Committee on Pensions.

Mr. McCurry, Chairman of the Committee on Military Affairs, submits the following report:

*Mr President:*

The Committee on Military Affairs has had under consideration the following House bill which I am

instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to amend the Charter of the City of Griffin.

Respectfully submitted,

JULIAN B. McCURRY, 31st, Chairman.

Mr. McClure, Chairman of the Committee on W & A. R. R., submits the following report, to-wit:

*Mr President:*

The Committee on W & A. R. R. has had under consideration the following House bill which I am instructed to report back to the Senate with the recommendation that the same do pass:

A bill to authorize and empower the Rome & Northern R. R. to cross the tracks of the W & A. R. R., and for other purposes.

Respectfully submitted,

J N McCURE, Chairman.

Mr. Irwin, Chairman of the Corporations Committee, submits the following report:

*Mr President:*

The Corporations Committee has had under consideration the following House bills, which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to incorporate the City of Commerce.

A bill to amend the Charter and extend the corporate limits of the town of Calhoun.

A bill to create a new Charter for the City of Jackson.

A bill to amend an Act incorporating the town of Sylvester.

A bill to amend the Charter of the town of Calhoun.

A bill to amend an Act entitled an Act to fix the corporate limits of the City of Ocilla.

A bill to amend an Act to consolidate and supersede the several Acts incorporating the town of Rockmart.

A bill to repeal an Act to incorporate the City of

Harmony Grove, in the County of Jackson, approved November 26, 1901.

Respectfully submitted,

JOHN R. IRWIN, Chairman.

Mr. Price, Chairman of the Committee on Agriculture, submitted the following report:

*Mr. President:*

The Committee on Agriculture has had under consideration the following House bill which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to protect live stock from contagious and infectious diseases.

Respectfully submitted,

J. D. PRICE, Chairman.

Mr. McDowell, Chairman of the Committee on Public Roads, submits the following report, to-wit:

*Mr. President:*

The Committee on Public Roads has had under consideration the following House bill which I am

instructed to report back to the Senate with the recommendation that the same do pass:

A bill to prohibit the removal of any land or dirt from the public roads of Spalding County, and for other purposes.

Respectfully submitted,

T. B. McDOWELL, Chairman.

Mr. Conley, Chairman of the Committee on Enrollment, submitted the following report:

*Mr President:*

The Committee on Enrollment report as duly signed by the President of the Senate and Speaker of the House of Representatives, and delivered to the Governor, the following Acts, to-wit:

An Act to repeal an Act establishing the City Court of Dawson, in and for the County of Terrell.

An Act to provide for holding threee terms a year of the Superior Court of Montgomery County.

An Act to authorize the County of Glynn to issue bonds.

- 11

An Act to provide a new Charter for the City of Rochelle.

Respectfully submitted,

F. E. CONLEY, Chairman.

Mr. Conley, Chairman of the Enrollment Committee, submitted the following report:

*Mr. President:*

The Committee on Enrollment report as duly enrolled and ready for the signature of the President of the Senate and Speaker of the House of Representatives, the following Acts, to-wit:

An Act to repeal an Act establishing the City Court of Dawson, in and for the County of Terrell.

An Act to provide for holding three terms a year of the Superior Court of Montgomery county

An Act to authorize the County of Glynn to issue bonds.

An Act to provide a new Charter for the City of Rochelle.

Respectfully submitted,

F. E. CONLEY, Chairman.

Mr. Patterson, Chairman of the Committee on Engrossing, submitted the following report:

*Mr. President:*

The Committee on Engrossing report that they have examined and found properly engrossed and ready for transmission to the House of Representatives, the following bills and resolutions, to-wit:

A bill to preserve to benevolent, humane, and charitable organizations the right to the exclusive use of the names adopted by them.

A bill to amend an Act requiring Judges of Superior and City Courts to decide motions for new trials, etc., within a certain time.

A bill to create a new Charter for town of Lumber City

A bill to amend the Charter of the City of Collins, in the county of Tatnall.

A bill to amend Section 936, Volume 1, of the Code of 1895.

A bill to amend the Charter of the City of Waynesboro.

A bill to amend an Act establishing the City Court of Baxley, in Appling County

A bill to amend the Charter of the Mayor and Council of Shellman.

A bill to amend an Act to establish the City Court of Abbeville, Wilcox County

A bill to amend the Charter of the City of Griffin..

A bill to provide for the protection of game animals and game birds.

A resolution to provide that the President of the Senate and Speaker of the House shall remain at Capitol for five days after adjournment.

A resolution providing for a joint Committee to call upon officers of the Department of the Gulf and extend them a cordial welcome to Georgia.

Respectfully submitted,

L. F. PATTERSON, Chairman.

Mr. Callaway, Chairman of the Committee on Counties and County Matters, submits the following report:

*Mr President:*

The Committee on Counties and County Matters has had under consideration the following bills of the House which I am instructed to report back to



the Senate with the recommendation that the same do pass, to-wit:

A bill to create a Board of Commissioners of Roads and Revenues for the County of Wilkinson, and for other purposes.

A bill to repeal an Act to create a Board of Commissioners of Roads and Revenues for the County of Wilkinson, and to define their powers, approved February 13, 1873.

Respectfully submitted,

R. D. CALLAWAY, Chairman.

Mr. Womble, Chairman of the Special Judiciary Committee, submitted the following report:

*Mr President:*

The Special Judiciary Committee has had under consideration the following Senate bill which I am instructed to report the same back to the Senate with the recommendation that it do pass:

A bill No. 143. To amend Section 2615 of the Code of Georgia, Volume II, 1895, regulating the

time of labor in cotton or woollen manufacturing establishments in the State of Georgia.

Respectfully submitted,

M. D. WOMBLE, Chairman.

August 9th, 1909.

Mr. Callaway, of the 29th, Chairman of the Committee on Counties and County Matters, submits the following report, to-wit:

*Mr President:*

The Committee on Counties and County Matters has had under consideration the following House bills which I am instructed to report back to the Senate with the recommendation that the same do pass:

A bill to incorporate the village of East Thomaston, Upson County, and for other purposes.

A bill to amend an Act creating a Board of Commissioners of Roads and Revenues for Colquitt County, to define their powers, duties, etc., and for other purposes.

Respectfully submitted,

R. D. CALLAWAY, Chairman.

Mr. McLean, Vice-Chairman\* of the Committee on Hygiene and Sanitation, submits the following report:

*Mr President:*

Your Committee on Hygiene and Sanitation has had under consideration the following House bill which it reports back with the recommendation that the same do pass, to-wit:

A bill to provide for shipping and keeping with the Ordinaries of this State by the State Board of Health, diphtheric antitoxine, and for other purposes.

Respectfully submitted,

J. L. McLEAN, Vice-Chairman.

The following House bills were read second time:

By Messrs. Johnson and Reid—

A bill to protect live stock from contagious diseases in this State.

By Messrs. Hardman and Holder—

A bill to incorporate the City of Commerce.

By Mr. Ellis—

A bill to amend the Act relating to appropriation to Public Librarian for Bibb County

By Mr. McMichael—

A bill to create a new Charter for the City of Jackson.

By Messrs. Porter, Wright, and others—

A bill to authorize and empower the Rome and Northern Railroad to cross the tracks of the W & A. R. R.

By Mr. Ford—

A bill to amend the Act incorporating the City of Sylvester.

By Mr. Calbeck—

A bill to amend the Charter extending the limits of the town of Calhoun.

By Messrs. Brown and Anderson—

A bill to provide additional funds for the Agricultural Schools of this State.

By Messrs. Vinson and Tuggle—

A bill to appropriate the sum of \$8,000 to build two negro reformatories on the land of the State farm in Baldwin County.

By Mr. Boyd—

A bill to prohibit the removal of any sand or dirt from the public roads of Spalding County

By Mr. Boyd—

A bill to amend the Charter of the City of Griffin.

By Mr. Henderson—

A bill to amend the Act fixing the corporate limits for the City of Ocilla.

By Mr. Calbeck—

A bill to amend the Charter of the town of Calhoun.

By Mr. Ault—

A bill to amend, consolidate and supersede the several Acts incorporating the town of Rockmart.

By Messrs. Hardeman and Holder—

A bill to incorporate the City of Harmony Grove,  
in Jackson County

By Mr. Hardeman—

A resolution to pay the stenographer of the  
McLendon investigating Committee.

By Mr. Anderson—

A resolution to pay Sergeant-at-Arms of the Mc-  
Lendon investigating Committee.

The following House bills were read third time and  
put upon their passage:

By Mr. Meadows—

A bill to create a new Charter for the City of  
McRae.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27,  
nays 0.

The bill having received the requisite Constitu-  
tional majority, was passed.

By Mr. Smith—

A bill to incorporate and establish the City Court of McRae.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed, as amended, and the amendments are as follows:

Amend Section 37 by inserting after the word “one” in the 4th line and before the word “per centum,” the words “half of one,” so it will read “one-half of one percentum.”

Amend Section 37 by inserting at the end of the word “ad valorem” and before the word “to” in 5th line of said Section as follows: “Except in cases of extraordinary emergencies the Mayor and Council may, by ordinance, increase said tax rate to three-fourths of one per cent.”

By Messrs. Hardman and Holder—

A bill to incorporate the town of Arcade.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Messrs. Hardman and Holder—

A bill to amend the Charter of the town of Maysville.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Reese—

A bill to amend the Charter of the City of Brunswick.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.



By Mr. Redding—

A bill to create and establish the City Court of Zebulon, in and for the County of Pike.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Roberts—

A bill to repeal an Act to incorporate the town of Yonkers.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Vinson—

A bill to empower the Mayor and Aldermen of the City of Milledgeville to sell and convey certain portions of the streets. •

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Messrs. Heard and Beacham—

A bill to amend an Act to create a Board of Commissioners of Roads and Revenues for the County of Dooly, and for other purposes.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Paulk—

A bill to amend the Act to establish the City Court of Nashville, in and for the County of Berrien.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Messrs. Heard and Beacham—

A bill to require the Commissioners of Roads and Revenues to work on public roads within the corporate limits of the municipalities of said County.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Edmondson—

A bill to amend Section 982, Volume 1, of the Code of 1895, so as to add Summerville, in Chattooga County, to the list of State Depositories.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Hardeman—

A bill to amend an Act to amend, consolidate and supercede the several Acts incorporating the town

of Wadley and the several Acts amendatory thereof, approved August 22, 1905.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Smith—

A bill to amend an Act to incorporate the City of Collins, approved August 22, 1905, to change the boundary of said City from a circle to a square.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Barrett—

A bill to amend the Charter of the City of Toccoa, approved December 27, 1897, and the Acts amendatory thereof, so as to authorize said City to establish

a system of sewerage: to issue bonds for the payment thereof.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

The following House bills were read second time:

By Mr. Allen—

A bill to incorporate the village of East Thomas-ton.

By Mr. Walters—

A bill to amend the Act creating a Board of County Commissioners of Colquitt County

The House amendment to the Senate substitute to the following bill of the House was concurred in by the Senate:

By Messrs. Hill and Persons —

A bill to amend the Charter of the City of Forsyth.

Mr. Perry moved to reconsider the action of the Senate in adopting the report of the Committee on Rules on Saturday

On motion to reconsider, the ayes were 12, nays 19.

The motion was lost.

On motion, 100 copies of the Appropriation Bill and amendments was ordered printed for the use of the Senate.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House has passed, by the requisite Constitutional majority, the following bills of the House, to-wit:

A bill to provide for two Assistant Librarians and to fix their salaries.

A bill to authorize any County having a City of not less than 54,000 nor more than 75,000 to lay out, maintain, regulate, etc., a system of drainage etc.

A bill to make appropriations to the Board of Health for the manufacture of virus for the treatment of rabies or hydrophobia.

A bill to authorize electric, street, suburban and interurban railway companies to acquire by purchase, lease, consolidation or merger, the stock, property, rights and franchises of other such companies formed to generate electricity, etc.

A bill to amend the Act establishing the City Court of Eastman.

A bill to create a Board of Commissioners of Glascock County.

A bill to regulate the registration of voters and the making up of registration lists for special elections in this State.

Also,

The House has adopted the following resolutions of the House, to-wit:

A resolution directing the purchase of land near Chattanooga for increasing the facilities of the W & A. R. R. and appropriating the necessary funds therefor.

A resolution to pay W L. Williamson \$100.00.

A resolution to empower the State Librarian to offer a 10 per cent. discount to certain book dealers in this State.

Also,

The House has passed, by the requisite Constitutional majority, the following bills of the House, to-wit:

A bill relating to the liability of common carriers by railroads to their employees in certain cases.

A bill to prevent the adulteration or misbranding of agricultural seeds.

Also,

The House has passed, by the requisite Constitutional majority, the following resolutions of the House, to-wit:

A resolution to authorize the Governor to draw his warrant in favor of J Pope Brown, Treasurer, for the sum of \$4,812.57, the amount of decree against the State in case of R. E. Park, Treasurer, vs. Neal Bank.

A resolution to reimburse Major Jefferson Davis Dunwoody, of the National Guard of Georgia, in the sum of \$98.50 expended for the good of the service.

A resolution to appropriate a sufficient amount of money to meet deficiency in amount available for meeting cost of publishing Supreme Court and Court of Appeals Reports for year 1909.

A resolution to provide for payment to Chas. P Byrd, the sum of \$550.00.

A bill to allow common carriers to grant passes to former employees under certain conditions.

Mr. Burwell, Chairman of Committee on Appropriations, submits the following report, to-wit:



*Mr President:*

The Committee on Appropriations has had under considerations the following House bills which I am instructed to report back to the Senate with the recommendation that same do pass:

A bill to appropriate \$50,000 for the purpose of building two negro reformatories upon the lands of State farm in Baldwin County

A bill to provide for additional funds for the maintenance, support and equipment of agricultural and Industrial Schools.

Also,

The following House bill which I am instructed to report back to the Senate with the recommendation that same do pass, as amended:

A bill to make appropriations for the ordinary expenses of the Executive, Legislative and Judicial Departments of Government; for the support of public institutions for the years 1910 and 1911.

Also,

The following House resolutions, that the same do pass:

A resolution to pay Sergeant-at-Arms of McLen-don investigation Committee \$82.52.

A resolution to pay the stenographer of the Mc Lendon investigation Committee \$612.50.

Respectfully submitted,

-----, Chairman.

Mr. Calhoun, Vice-Chairman of the Committee on Counties and County Matters, submitted the following report:

*Mr. President:*

The Committee on Counties and County Matters has had under consideration the following House bill which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to amend an Act to create a Board of Commissioners of Roads and Revenues for the County of Irwin.

Respectfully submitted,

M. B. CALHOUN, Vice-Chairman.

Mr. Rutherford, Chairman of Academy of the Blind Committee, submits the following report:

*Mr President:*

Your Committee of the Academy of the Blind has had under consideration the following House resolution which it reports back to the Senate with the recommendation that the same do pass, to-wit:

A resolution to provide for the meeting of the Committees on the Academy for the Blind of the Senate and the House, for the purpose of visiting and inspecting the Academy, while the General Assembly is not in session.

Respectfully submitted,

RUTHERFORD, Chairman.

Mr. Pitts, Chairman of the Committee on School for the Deaf, submits the following report:

*Mr President:*

The Committee on School for the Deaf has had under consideration the following House resolution which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A resolution permitting the Committee to visit the

School for the Deaf during interim between sessions 1909 and 1910.

Respectfully submitted,

L. R. PITTS, Chairman.

Mr. Mays, Vice-Chairman of the Pension Committee, submits the following report:

*Mr President:*

The Pension Committee has had under consideration the following House resolutions, which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A resolution to pay pension to Mrs. F E. Morgan, of Paulding County, widow of W H. Morgan.

A resolution to pay pension to Mrs. Lottie E. Coker, of Fulton County

Respectfully submitted,

S. H. MAYS, Vice-Chairman.

Mr. Mathews, Chairman of the General Judiciary Committee, submits the following report:

*Mr President:*

The General Judiciary Committee has had under consideration the following House bills which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to create a Charter for the City of Zebulon.

A bill to fix the amount of solvent assets which mutual aid, benefit and industrial life insurance companies shall have and maintain, etc.

A bill to change the time of holding the Superior Court of Liberty County in the Atlantic Circuit.

A bill to reconvey to the City of Griffin certain grounds.

A bill to divide the Counties now composing the Brunswick Judicial Circuit and form therefrom two Circuits to be known as the Brunswick and Waycross Circuits, etc.

The Committee also recommends that the following House bill be read a second time and recommitted:

A bill to provide for the codification of the laws

of Georgia and to provide for the payment of the expenses of the same.

Respectfully submitted,

H. A. MATHEWS, Chairman.

Mr. Mays, Chairman of the Pension Committee, submits the following report:

*Mr President:*

The Pension Committee has had under consideration the following bill of the House, which I am instructed to report back to the Senate with the recommendation that the same do pass, by substitute, to-wit:

A bill to authorize the Commissioners of Pensions to pay the amount due the husband which is placed on the pension rolls to be paid a pension for the following year and dies before the 1st of January following to his widow.

The Committee has also had under consideration the following House resolutions which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A resolution to pay a pension to Mrs. Susan P Ford, widow of the late E. P Ford, of Effingham County

A resolution to pay Archibald McKinley pension due him.

Respectfully submitted,

S. H. MAYS, Vice-Chairman.

Mr. Callaway, Chairman of the Temperance Committee, submits the following report:

*Mr President:*

The Committee on Temperance has had under consideration the following House bills, which I am instructed to report the same back to the Senate with a recommendation that they do pass:

Bill No. 539. To be entitled an Act to make unlawful the sale of near beer, and all imitations of beer, in Telfair County, and for other purposes. .

A Bill No. 526. To be entitled an Act to prohibit sale of near beer in the town of Shellman, Ga., and for other purposes.

A bill No. 533. To be entitled an Act to prohibit the sale of near beer and other similar beverages in the County of Johnson, in this State, and for other purposes.

J P CALLAWAY, Chairman.

The following House bills were read second time:

By Mr. Upshaw—

A bill to authorize the Commissioner of Pensions to pay the amount due the husband which is placed on the pension rolls be paid a pension for the following year and dies before 1st day of January following his widow, and for other purposes.

By Mr. Carswell—

A bill to create a Board of Commissioners of Roads and Revenues for Wilkerson county

By Mr. Carswell—

A bill to amend the Act creating the Board of Commissioners of Roads and Revenues for Wilkerson county so as to provide for the election of the Commissioners by the people.

The following House resolutions were read second time:

By Mr. Guyton—

A resolution to pay pension of Mrs. Susan P Ford, widow of the late E. F. Ford.

By Mr. MacFarland—

A resolution to pay Archibald McKinley pension due him.



The following special order was taken up, which is as follows:

By Mr Reid—

A bill to annually levy and collect a tax for the support of the State Government and the public institutions for educational purposes, and for other purposes.

On motion, the Senate adjourned.

## SENATE CHAMBER, ATLANTA, GEORGIA,

TUESDAY, AUGUST 10th, 1909.

The Senate met pursuant to adjournment at 9:00 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

Upon the call of the roll, the following members answered to their names:

Akin	Irwin	McCollum
Bowen	Johnson	McClure
Burwell	Jackson	Patterson
Blackwell	Kemp	Price
Callaway of 10th	King	Perry
Callaway of 29th	Longley	Pitts
Calhoun	Mays	Rutherford
Cates	Murray	Slater
Conley	Morris	Sellers
Day	Mathews	Stevens
Gordy	McLean	Ward of 5th
Griffith	McDowell	Womble
Harrell	McCurry	Wood
Harben	McWilliams	Mr. President

Those absent were Messrs.:

Rudicil                      Ward of 7th

On motion, the reading of the Journal was dispensed with.

By unanimous consent the following House bills were read second time and recommitted.

By Mr. Reid—

A bill to create in this State the office of Corporation Clerk.

By Mr. White—

A bill relating to the liability of common carriers by railroads to their employees in certain cases.

Mr. Price, Chairman of the Agricultural Committee, submitted the following report:

*Mr. President:*

Your Committee on Agriculture has had under consideration the following House bill which it instructed me to report back with the recommendation that the same do pass, to-wit:

A bill to be entitled an Act to legalize certain stock law fences in Georgia, and for other purposes.

• Respectfully submitted,

J. D. PRICE, Chairman.

Mr. Longley, Chairman of the Committee on Railroads, submitted the following report:

*Mr. President:*

Your Committee on Railroads has had under consideration the following House bill which it instructs me to report back with the recommendation that the same do pass:

A bill to allow common carriers to grant passes to former employees under certain conditions, and for other purposes.

Respectfully submitted,

F. M. LONGLEY, 37th District, Chairman.

Mr. Gordy, Chairman of the Penitentiary Committee, submits the following report:

*Mr. President:*

The Penitentiary Committee has had under consideration the following House bill, which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to amend an Act of August 14, 1908, entitled an Act to authorize the municipal authorities of any city having a certain population to establish and maintain a farm or other place of confinement for persons convicted of minor misdemeanors.

Respectfully submitted,

GORDY, Chairman.

Mr. McLean, Vice-Chairman of the Committee on Hygiene and Sanitation, submits the following report, to-wit:

*Mr. President:*

Your Committee on Hygiene and Sanitation has had under consideration the following House bills, which I am instructed to report back to the Senate with the recommendation that the same do pass:

A bill to authorize the municipal authorities of any city having a population of not less than 54,000 nor more than 75,000 to establish and maintain a sanitarium for the care and treatment of tuberculosis, etc., and for other purposes.

A bill to delegate to counties having a city of not less than 54,000 nor more than 75,000 inhabitants full power and authority over sanitation within the county, and for other purposes.

Respectfully submitted,

J. L. McLEAN, Vice-Chairman.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has passed by the requisite Constitu-

tional majority the following bills of the Senate, to-wit:

A bill to provide for county police.

A bill to provide for another judge of the Atlanta Circuit.

A bill to amend Section 982 of Volume 1 of Code of 1895, so as to make Jasper, Pickens county, a State depository

A bill to amend Act establishing city court of Dawson.

A bill to amend the Charter of City of Fort Valley

A bill to create a new Charter for town of Rutledge.

A bill to amend Section 982 of Code, so as to add Colquitt to list of State depositories.

Also, the House has passed by the requisite Constitutional majority the following resolution of the Senate, to-wit:

A resolution providing for carrying over of unfinished business to the session of 1910.

Also, the House has concurred in the Senate substitutes for the following bills of the House, to-wit:

A bill to incorporate the City of Glennville in the county of Tatnall.

A bill to consolidate, amend and codify the various Acts incorporating the City of Dalton.

Also, the House has concurred in the Senate amendments to the following bills of the House, to-wit:

A bill to provide for the removal of obstructions of all kinds from the creeks or other running streams of Walton county

A bill to amend the Charter of the City of La Fayette.

A bill to establish a system of public schools in the town of Hiram in the county of Paulding.

A bill to amend the Act establishing a new Charter for the City of Dublin.

A bill to establish a new Charter for the City of Waycross.

Also, the House has adopted the following resolutions of the House, to-wit:

A resolution relating to the unfinished business of the present session.

A resolution to authorize the Clerk of the House

and Secretary of Senate to mail to members a statement of the unfinished business of the session.

Mr. McLean, Vice-Chairman of Committee on Hygiene and Sanitation, submits the following report: •

*Mr. President:*

Your Committee on Hygiene and Sanitation has had under consideration the following House bill, which I am instructed to report back to the Senate with the recommendation that same do pass.

A bill to authorize any city having a population of not less than 54,000 nor more than 75,000 to lay out, maintain and regulate a system of drainage.

• Respectfully submitted,

J. L. McLEAN, Vice-Chairman.

Mr. Kemp, Chairman of the Committee on Public Library, submits the following report:

*Mr. President:*

The Public Library Committee has had under consideration the following House bill, which I am instructed to report back to the Senate with the recommendation that the same do pass, to wit:



A bill to provide that there shall be two assistant State Librarians, and to fix their salaries.

The Committee also recommends that the following House resolution do pass, to-wit:

A resolution to empower the State Librarian to offer a 10 per cent. discount to book dealers buying from the State Library.

Respectfully submitted,

W R. KEMP, Chairman.

Mr. Irwin, Chairman of Committee on Corporations, submits the following report:

*Mr President:*

The Committee on Corporations has had under consideration the following House bills, which I am instructed to report back to the Senate with the recommendation that same do pass.

A bill to amend the Charter of Griffin.

A bill to amend the Charter of Lumpkin, Stewart county, and for other purposes.

A bill to incorporate Mitchells, Pulaski county, and for other purposes.

A bill to incorporate the town of Woolsey, Fayette county, and for other purposes.

A bill to amend the Charter of the City of Jefferson, so as to provide for a system of electric lights and water works, and for other purposes.

A bill to amend the Charter of the City of Sylvester, and for other purposes.

A bill to amend the Charter of Adairsville, Bartow county, so as to provide for a system of public schools for said town, and for other purposes.

A bill to amend the Charter of the City of Sylvester, extend the corporate limits, and for other purposes.

A bill to amend the Charter of the City of Poulan and for other purposes.

A bill to amend the Charter of the City of Toccoa so as to change the term of mayor, and for other purposes.

A bill to amend the Charter of the City of Tifton, and for other purposes.

A bill to incorporate the town of Alamo in Montgomery county, Georgia, and for other purposes.

A bill to authorize electric, street, suburban and interurban railroad companies to acquire by purchase, lease, etc., the stock, property rights and fran-

chises of other such companies and of companies formed to generate electricity, and for other purposes.

A bill to amend the Charter of the City of Athens to provide for a public hospital and to provide a method for raising fund to build and maintain same.

Also, it has had under consideration the following House bills, which I am instructed to report back to the Senate with the recommendation that same do pass as amended.

A bill to amend the Charter of the City of Atlanta, and for other purposes.

A bill to amend the Charter of the City of Macon, and for other purposes.

Respectfully submitted,

JNO. R. IRWIN, Chairman.

Mr. Callaway, Chairman of the Committee on Counties and County matters, submitted the following report:

*Mr President:*

The Committee on Counties and County Matters has had under consideration the following bills of the House, and I am instructed to report the same

back to the Senate with the recommendation that they do pass, to-wit:

A bill to be entitled an Act creating a Board of Commissioners for Glascock county

A bill to be entitled an Act to regulate the Board of Roads and Revenues of Stewart county, to pay to the officers of the Superior Court of Stewart county and city of Lumpkin a reasonable compensation, and for other purposes.

Respectfully submitted,

R. D. CALLAWAY, Chairman.

Mr. Slater, Chairman of Committee on Finance, submits the following report:

*Mr. President:*

Your Committee on Finance has had under consideration the following House resolutions, which I am instructed to report back to the Senate with the recommendation that the same do pass:

A resolution for the relief of Claud Hancock and John Bruce.

A resolution to repay W. C. Allen, oil inspector at Wrightsville, \$10.80 erroneously paid by him to the State of Georgia.

It has also had under consideration the following House bill, which I am instructed to report back to the Senate that same has been tabled.

A bill providing that the Treasurer of Georgia shall be ex-officio Bond Commissioner, and for other purposes.

The Committee has had under consideration the following House bill, which I am instructed to report back to the Senate with the recommendation that same do pass as amended:

A bill to create an auditor of State accounts.

Respectfully submitted,

W F SLATER, Chairman.

Mr McWilliams, Chairman of the Committee on Education, submits the following report:

*Mr. President:*

The Committee on Education has had under consideration the following bills of the House, and I am instructed to report the same back to the Senate with the recommendation that they do pass, to-wit:

A bill to be entitled an Act to amend an Act establishing a system of public schools for the town of Eastman, approved December 15, 1894, and for other purposes.

A bill to be entitled an Act to authorize the establishment and maintenance of a system of public schools in the town of Martin, and for other purposes.

A bill to be entitled an Act to amend an Act approved August 14, 1908, entitled an Act to authorize the establishment of a system of public schools in Lumber City, and for other purposes.

A bill to be entitled an Act to establish a system of public schools in and for the City of Helena, Ga., to provide for a Board of Education, incorporating the same, and for other purposes.

Respectfully submitted,

McWILLIAMS, Chairman.

Mr. Womble, Chairman of the Special Judiciary Committee, submitted the following report:

*Mr. President:*

The Special Judiciary Committee have had under consideration the following House bills, which I am instructed to report back to the Senate with the recommendation that they do pass, to-wit:

A bill (No. 269) To prohibit near beer within the limits of Ware county

A bill (No. 420). An Act providing for the detachment of Tatnall county from the Middle Judicial Circuit.

A bill (No. 592). An Act to amend, consolidate and supersede the several Acts incorporating the City of Sylvania.

A bill (No. 631). An Act amending an Act establishing the City Court of Quitman.

A bill (No. 635). An Act to establish a city court for the county of Stewart.

A bill (No. 664). An Act to amend Acts in establishing the city court of Eastman in the county of Dodge.

Mr. McDowell, Chairman of Committee on Public Roads, submits the following report:

*Mr. President:*

Your Committee on Public Roads has had under consideration the following House bill, which I am instructed to report back to the Senate with the recommendation that the same do pass by substitute:

A bill to regulate the running of automobiles and

other motor vehicles on the public roads of the county of Bartow, and for other purposes.

Respectfully submitted,

T. B. McDOWELL, Chairman.

Mr. Kemp, Chairman of the Public Library Committee, submits the following report:

*Mr. President:*

The Public Library Committee has had under consideration the following House bill, which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to provide for the regular exchange between Georgia and other States of State documents, etc.

The Committee also recommends that the following House resolution do pass, to-wit:

A resolution to furnish to the county of Liberty, for the use of the Ordinary, such volumes of the Georgia Reports as are missing or mutilated.

Respectfully submitted,

Chairman.



Mr. Irwin, Chairman of the Committee on Corporations, submitted the following report:

*Mr President;*

The Committee on Corporations has had under consideration the following House bills, which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to repeal an Act to incorporate the town of Clayton in Rabun county

A bill to incorporate the City of Clayton in Rabun county

A bill to amend an Act to amend, consolidate and supersede the several acts incorporating the town of Austell.

Respectfully submitted,

JNO. R. IRWIN, Chairman.

A bill (No. 683). An Act to establish a city court of Abbeville, Wilcox county

Respectfully submitted,

M. D. WOMBLE, Chairman.

Mr Price, Chairman of the General Agricultural Committee, submits the following report:

*Mr President:*

The General Agricultural Committee has had under consideration the following House bill, which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to prevent the adulteration or misbranding of agricultural seeds.

Respectfully submitted,

J. D. PRICE, Chairman.

ATLANTA, GA., August 10, 1909.

The following message was received from His Excellency the Governor, through his Secretary, Mr. Blackburn:

*Mr President:*

I am directed by His Excellency the Governor to deliver to the Senate a sealed communication to which he respectfully invites the consideration of your honorable body in executive session.

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House has passed by the requisite Constitutional majority the following bill of the House, to-wit:

A bill to amend Section 671 of Volume 3 of the Code of 1895, relative to the wrongful sale of mortgaged property

A bill to prevent the removal of personal property from this State held under a conditional purchase of sales.

A bill to prevent the mending or keeping of tools for safe cracking, etc., with intent to use the same.

A bill to amend the Act incorporating the town of Leslie in Sumter county

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House has concurred in the Senate amendment to the following bill of the House, to-wit:

A bill to incorporate and establish the City of Ellijay, in the county of Gilmer.

Also, the House has passed by the requisite Con-

stitutional majority the following bills of the Senate, to-wit:

A bill fixing the salary of the stenographer in the office of Attorney-General.

A bill to establish a Board of Osteopathic examiners for the State of Georgia.

A bill to amend the Act establishing a Board of Dental examiners.

A bill to fix the compensation of the Ordinaries of this State.

A bill to provide for Georgia Day

A bill to amend Section 342 of the Penal Code of Georgia.

A bill to repeal all laws now of force in this State authorizing the issue of grants to land under head-rights.

A bill to provide for supersedeas of judgment of conviction in county and other courts.

Also, the House has passed by the requisite Constitutional majority, the following resolution of the Senate, to-wit:

A resolution providing for a joint Committee on tax returns and valuations.

The following bills of the House were read second time:

By Mr. Cannon—

A bill to incorporate the City of Clayton in Rabun county, Georgia.

By Mr. McArthur—

A bill to incorporate the town of Alamo.

By Mr. Meadows—

A bill to amend an Act, approved August 14, 1908, to authorize the establishment of a system of public schools in Lumber City

By Mr. Whitely—

A bill to amend an Act creating a Board of Commissioners of Glascock county.

By Messrs Hardeman and Holder—

A bill to amend the Charter of the City of Jefferson, so as to provide for a system of electric lights and water works.

By Mr. Peacock—

A bill to incorporate the town of Mitchells in the county of Pulaski.

By Mr. Barrett—

A bill to amend the Charter of the City of Toccoa, so as to change the term of the mayor.

By Mr. Wright—

A bill to amend the Act, approved December 18, 1902, acts of 1902, pages 489 to 501, chartering the town of Lumpkin.

By Mr. Hendricks—

A bill to amend the Charter of the City of Tifton.

By Mr. Drawdy—

A bill to divide the ten counties now composing the Brunswick Judicial Circuit and to form therefrom two circuits to be known as the Brunswick and Waycross Circuits, etc.

By Mr. McMichael—

A bill to legalize certain stock law fences in Georgia.

By Mr. Huie—

A bill to prevent the adulteration and misbranding of agricultural seeds.

By Mr. Meadows—

A bill to make unlawful the sale of near beer and all imitations of beer in Telfair county

By Mr. McMahan—

A bill to amend the Charter of Athens so as to provide for a public hospital and to provide a method for building and maintaining the same.

By Mr. Pope—

A bill to amend the Act establishing the City Court of Quitman.

By Mr. Anderson—

A bill to provide that any City, with a certain population, may establish and maintain a sanitarium for the care and treatment of tuberculosis, etc.

By Mr. Anderson—

A bill to amend an Act approved August 14, 1908, to authorize the municipal authorities of any City

having a certain population to establish and maintain a farm or other place of confinement for persons convicted of minor misdemeanors.

By Messrs. Guyton and McCarthy—

A bill to allow common carriers to grant passes to former employees under certain conditions.

By Mr. Alexander—

A bill to provide that there shall be two Assistant State Librarians.

By Mr. Anderson—

A bill to delegate to Counties having a City of a certain population, full power and authority over sanitation within the County

By Messrs. Boyd, Huie and others—

A bill to authorize electric, street, suburban and interurban railway companies to acquire by purchase, lease, etc., the stock, property rights and franchises of other such companies and of companies formed to generate electricity

By Mr. Anderson—

A bill to authorize any county, having a city of



a certain population, to lay out, maintain, regulate a system of drainage, etc.

By Mr. Wright—

A bill to require the Board of Commissioners of Roads and Revenues to pay to the officers of the Superior Court of Stewart county and the City Court of Lumpkin a reasonable compensation.

By Mr. Henderson—

A bill to amend an Act to create a Board of Commissioners of Roads and Revenues for the County of Irwin.

By Mr. Upshaw—

A bill to fix the amount of solvent assets which mutual aid, benefit and industrial life insurance companies shall have and maintain, etc.

By Mr. Ford—

A bill to amend the Charter of the City of Poulan.

By Messrs. Moss and Daniel—

A bill to amend an Act entitled an Act to amend, consolidate and supersede the several Acts incorporating the town of Austell, in Cobb County

By Mr. MacFarland—

A bill to provide for the detachment of the County of Tatnall from the Middle Judicial Circuit.

By Messrs. Alexander, Brown and McElreath—

A bill to amend the Charter of the City of Atlanta.

By Messrs. Price and Johnson—

A bill to amend the Charter of the town of Adairsville so as to provide for the establishment of a system of Public Schools for said town.

By Mr. Barrett—

A bill to authorize the establishment and maintenance of a system of Public Schools in the town of Martin.

By Messrs. Hardeman and Gastley—

A bill to provide for shipping and keeping with the Ordinaries of this State by the State Board of Health, diphtheritic antitoxine.

By Mr. Minter—

A bill to incorporate the town of Woolsey, in the County of Fayette.

By Mr. Meadows—

A bill to establish a system of Public Schools in and for the City of Helena, and for other purposes.

By Mr. Reid—

A bill to provide for the regular exchange between Georgia and other States of State documents, etc.

By Mr. Hall—

A bill to amend the Charter of the City of Macon.

By Mr. Ford—

A bill to amend the Charter of the City of Sylvester to extend the corporate limits.

By Mr. Miller—

A bill to make unlawful the sale of near beer in the County of Ware.

By Mr. Wright—

A bill to establish the City Court of Lumpkin.

By Mr. Boyd—

A bill to amend the Charter of the City of Griffin.

By Mr. Roberts—

A bill to amend an Act establishing the City Court of Eastman.

By Mr. Cannon—

A bill to repeal an Act to incorporate the town of Clayton.

By Mr. Harvey—

A bill to amend an Act to establish the City Court of Abbeville, in and for the County of Wilcox.

By Mr. Hall—

A bill to create an Auditor of State accounts.

By Mr. White—

A bill to amend, consolidate and supersede the several Acts incorporating the City of Sylvania.

By Mr. Ford—

A bill to amend an Act amending the Charter of the City of Sylvester

By Messrs. McMichael and Boyd—

A bill to reconvey to the City of Griffin certain grounds.

By Mr. Harrington—

A bill to change the time of holding the Superior Court of Liberty County, in the Atlantic Circuit.

By Mr. Redding—

A bill to create a Charter for the City of Zebulon.

By Mr. Fairecloth—

A bill to prohibit the sale of near beer and other similar beverages in the county of Johnson.

The following House resolutions were also read second time:

By Mr. Alexander—

A resolution to empower the State Librarian to offer a 10 per cent. discount to book dealers buying from the State Library.

By Mr. Huie—

A resolution permitting Committee to visit School

for the Deaf during interim between sessions 1909 and 1910.

By Mr. Alexander—

A resolution directing the purchase of land near Chattanooga, in the State of Tennessee, for increasing the facilities of the Western and Atlantic Railroad and appropriating the necessary funds therefor.

By Messrs. Holder and Hardeman—

A resolution for the relief of Claude Hancock and John Bruce.

By Mr. Faircloth—

A resolution to repay W. C. Allen, oil inspector at Wrightsville, \$10.80 erroneously paid by him to the State of Georgia.

By Mr. Calbeck—

A resolution to provide for the meeting of the Committees on the Academy for the Blind of the Senate and House for the purpose of visiting and inspecting the Academy while the General Assembly is not in session.

By Mr. Brown—

A resolution to pay pension of Mrs. Lottie E. Coker, of Fulton County, for 1907

By Mr. Helms—

A resolution to pay pension to Mrs. F. E. Morgan, of Paulding County, widow of W. H. Morgan.

By Mr. Harrington—

A resolution to furnish to the County of Liberty for the use of the Ordinary, such Volumes of the Georgia Reports as are missing or mutilated.

The following bills of the House were read second time and recommitted.

By Mr. Hardeman—

A bill to make additional appropriations to the Board of Health for the manufacture and transportation of virus for the treatment of rabies or hydrophobia.

By Mr. Rogers—

A bill to prohibit the sale of near beer in the town of Shellman.

By Messrs. Price and Johnson

A bill to regulate the running of automobiles and other motor vehicles on the public roads of the County of

By Mr. Peacock—

A bill providing that the Treasurer of Georgia shall be ex-officio Bond Commissioner.

By Messrs. Sheppard, Griffin and others—

A bill to provide for the codification of the laws of Georgia and to provide for the payment of the expenses of the same.

Also,

The following House resolutions were read second time and recommitted:

By Mr. Hall—

A resolution to authorize the Governor to draw his warrant in favor of J. Pope Brown, Treasurer, for the sum of \$4,812.57, the amount of decree against the State in case of R. E. Park vs. Neal Bank.



By Mr. Alexander—

A resolution to appropriate a sufficient amount of money to meet a deficiency in the amount available to meet the cost of publishing new volumes of Supreme Court and Court of Appeals Reports for the year 1909.

By Messrs. Alexander, Brown and McElreath—

A resolution providing for the payment to Chas. P. Byrd, State Printer, the sum of \$550.00.

By Mr. Wright—

A resolution to reimburse Major Jefferson Davis Dunwoody, of the National Guard of Georgia, in the sum of \$98.50 expended by him for the good of the service.

By Messrs. Hardeman and Holder—

A resolution to pay W. L. Williams \$100.00.

Mr. Callaway, Chairman of the Temperance Committee, submits the following report:

*Mr. President:*

The Committee on Temperance has had under consideration the following bill of the House which

I am instructed to report back to the Senate with recommendation that it do pass.

Bill No. 526 to be entitled an Act to prohibit the sale of near beer in the town of Shellman, Georgia, and for other purposes.

Do pass.

J. P. CALLAWAY, Chairman.

August 10, 1909.

Mr. Burwell, Chairman of Committee on Appropriations, submits the following report:

*Mr President:*

Your Committee on Appropriations has had under consideration the following House Bills which I am instructed to report back to the Senate with the recommendation that same do pass:

A bill to make appropriation to the Board of Health for the manufacture and transportation of virus for the treatment of rabies or hydrophobia, and for other purposes.

Also,

The following House resolutions which I am instructed to report back with the recommendation that the same do pass:

A resolution to appropriate a sufficient amount of money to meet a deficiency in the amount available to meet the cost of publishing new volumes of Supreme Court and Court of Appeals Reports for the year 1909.

A resolution to authorize the Governor to draw his warrant in favor of J. Pope Brown, Treasurer, for \$4, 812.57, the amount of decree against the State of R. E. Park vs. Neal Bank.

A resolution providing for the payment of Chas. P. Byrd, State Printer, \$550.00, and for other purposes.

Also,

The following House resolutions which I am instructed to report back with the recommendation that same do not pass:

A resolution to reimburse Major Jefferson Davis Dunwoody, of the National Guard of Georgia, \$98.50 expended by him for the good of the service.

A resolution to pay W. L. Williamson \$100.00, and for other purposes.

Also, the following House bill which I am instructed to report back, has been tabled by the Committee.

A bill to put in force the Constitutional amendment providing for the payment of pensions to the widows of ex-Confederate soldiers, and for other purposes.

Respectfully submitted,

BURWELL, Chairman.

The following unfinished business was taken up:

By Mr. Reid—

A bill to annually levy and collect a tax for the support of the State Government and the public institutions for education, and for other purposes.

“On all persons owning or keeping one or more male dogs the sum of one dollar per dog; on all persons owning or keeping one or more open female dogs the sum of two dollars per dog; such tax to be enforced against the owner or keeper by execution, levy and sale as other taxes are collected; this tax not to interfere with the imposition and collection of any municipal tax on dogs; said tax to be due and collectible when and as other taxes are collected.

The owners of dogs shall make returns to the Tax Receivers as other property is returned. The Tax Receivers shall keep correct digests of such returns in separate books, specially designed for the purpose, giving the sex, age, color and breed of the

dogs returned, date of return, and name and post office address of the owner, or keeper, which books shall be kept and disposed of as other tax digest books: and they shall be provided in the same manner as other digest books are provided.

The Tax Collectors shall procure and keep on hand metal tags, one by two inches in size, with a slot in each end of the tag by which it may be fastened to a collar, on which tags shall be stamped or engraved consecutive numbers and the year for which the tax is due. Upon the payment of the tax in each respective year said Tax Collector shall deliver to the owners of dogs on which tax is paid one of said tags for each dog for which tax is paid; and he shall, at the same time, make an entry upon the digest, showing the dog for which the tax was paid, and the number of the tag. The owner of the dog shall fasten said tag by appropriate collar around the neck of the dog for which the tax was paid, and he shall keep the same continuously around said dog's neck until another year's tax has become due, or has been paid.

It shall be the duty of the Constables of this State to report to the Tax Collectors, by correct description, all dogs that may be found in their respective militia districts being without tags, and not having had a tag for the respective year, as herein provided, and they shall also report the names of the owners or keepers of such dogs. It shall be the duty of the Tax Collectors to deal with such owners or

keepers as other tax defaulters are dealt with, and they shall collect double tax from such owners or keepers as other double taxes are collected. The Constables making such reports shall be paid the sum of fifty cents for each dog reported, for which double tax may be collected; the same to be paid by the Tax Collector, for which he shall receive credit in his settlements for taxes collected by him; he shall also be allowed in his settlements for taxes collected the actual cost of tags purchased for use as herein provided.

Be it further enacted, That tax executions may be levied on dogs as other property, and if at execution sale, a dog does not bring enough to pay the tax due on such dog and the cost of levy and sale, the officer conducting the sale shall forthwith kill, or cause to be killed, such dog.

On the following amendment the ayes and nays were ordered, and the vote is as follows:

Those voting in the affirmative were Messrs.:

Akin	Johnson	McWilliams
Bowen	Kemp	McClure
Burwell	King	Patterson
Blackwell	Mays	Price
Callaway of 29th	Murray	Slater
Callaway of 10th	Morris	Stevens
Calhoun	Mathews	Wood
Day	McLean	
Griffith	McDowell	

Those voting in the negative were Messrs.:

Cates	Jackson	Rutherford
Conley	Longley	Sellers
Gordy	McCurry	Ward of 5th
Harrell	McCollum	Womble
Harben	Perry	
Irwin	Pitts	

Those not voting were Messrs.:

Radicil	Ward of 7th	Mr. President
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Ayes 25; Nays 16.

The substitute was adopted.

The following amendment was offered:

Amend Paragraph 31 of Section 2 by striking from line 210 the words "\$5.00" and inserting in lieu thereof the words "\$10.00." Amend by striking from line 211, the words "\$10" and inserting in lieu thereof the words "\$20.00." Amend by striking entire line 212. Amend by striking from line 213 the words "\$10.00" and inserting in lieu thereof the words "\$40.00." Amend by striking from line 214 the words "\$25.00" and inserting in lieu thereof the words "\$50.00." Amend by striking from line 215 the words "\$50.00" and inserting in lieu thereof the words "\$100.00." Amend by striking from line 216 the words "\$75.00" and inserting in lieu thereof the words "\$150.00." Amend by striking from line 217 the words "\$100.00." and inserting in lieu thereof the words "\$200.00."

On the adoption of this amendment the ayes and nays were ordered, and the vote is as follows:

Those voting in the affirmative were Messrs.:

Griffith	Kemp	Perry
Jackson	McLean	Sellers

Those voting in the negative were Messrs.:

Akin	Irwin	McClure
Bowen	Johnson	Patterson
Burwell	King	Price
Callaway of 10th	Longley	Pitts
Callaway of 29th	Mays	Rutherford
Calhoun	Murray	Slater
Cates	Morris	Stevens
Conley	Mathews	Ward of 5th
Day	McDowell	Womble
Gordy	McCurry	Wood
Harrell	McWilliams	
Harben	McCollum	

Those not voting were Messrs.:

Blackwell	Rudicil	Ward of 7th
		Mr. President

Ayes 6; Nays 34.

The amendment was lost.

The following amendment was offered by the Committee:

Committee amends by offering the following as a substitute for Section 2, Paragraph 38:

Thirty-eighth. (a). Upon every manufacturer in this State of any syrup or syrups, extract or ex-



tracts, used for the manufacturing, mixing or preparation of any beverages or drinks of any kind, whether sold at wholesale or retail, a tax to be graduated as follows:

Upon every manufacturer whose gross sales upon business within the State of Georgia do not exceed the sum of \$1,000.00, the sum of Five Dollars.

Upon every manufacturer whose gross sales upon business within the State of Georgia exceed the sum of \$1,000.00, but do not exceed \$2,000.00, the sum of Seven and 50/100 Dollars.

Upon every manufacturer whose gross sales upon business within the State of Georgia exceed the sum of \$2,000.00 but do not exceed \$5,000.00, the sum of twelve and 50/100 dollars.

Upon every manufacturer whose gross sales upon business within the State of Georgia exceed the sum of \$5,000.00, but do not exceed \$10,000.00, the sum of Seventeen and 50/100 Dollars.

Upon every manufacturer whose gross sales upon business within the State of Georgia exceed the sum of \$10,000.00, but do not exceed \$15,000.00, the sum of Twenty five Dollars.

Upon every manufacturer whose gross sales upon business within the State of Georgia exceed the sum of \$15,000.00, but do not exceed \$20,000.00, the sum of Fifty Dollars.

Upon every manufacturer whose gross sales upon

business within the State of Georgia exceed the sum of \$20,000.00, but do not exceed \$25,000.00, the sum of Seventy-five Dollars.

Upon every manufacturer whose gross sales upon business within the State of Georgia exceed the sum of \$25,000.00, but do not exceed \$50,000.00, the sum of One Hundred Dollars.

Upon every manufacturer whose gross sales upon business within the State of Georgia exceed \$50,000.00, but do not exceed \$100,000.00, the sum of Two Hundred Dollars.

Upon every manufacturer whose gross sales upon business within the State of Georgia exceed \$100,000.00, but do not exceed \$200,000.00, the sum of Four Hundred Dollars.

Upon every manufacturer whose gross sales upon business within the State of Georgia exceed \$200,000.00, but do not exceed \$300,000.00, the sum of Six Hundred Dollars.

Upon every manufacturer whose gross sales upon business within the State of Georgia exceed \$300,000.00, but do not exceed \$400,000.00, the sum of Eight Hundred Dollars.

Upon every manufacturer whose gross sales upon business within the State of Georgia exceed \$400,000.00, but do not exceed \$500,000.00, the sum of One Thousand Dollars.

Upon every manufacturer whose gross sales upon business with the State of Georgia exceed \$500,000.00, but do not exceed \$600,000.00, the sum of One Thousand and Two Hundred Dollars.

Upon every manufacturer whose gross sales upon business within the State of Georgia exceed \$600,000.00, but do not exceed \$700,000.00, the sum of One Thousand and Four Hundred Dollars.

Upon every manufacturer whose gross sales upon business within the State of Georgia exceed \$700,000.00, but do not exceed \$800,000.00, the sum of One Thousand and Six Hundred Dollars.

Upon every manufacturer whose gross sales upon business within the State of Georgia exceed \$800,000.00, but do not exceed \$900,000.00, the sum of One Thousand and Eight Hundred Dollars.

Upon every manufacturer whose gross sales upon business within the State of Georgia exceed \$900,000.00, the sum of Two Thousand Dollars.

The tax herein laid shall be based upon the gross sales of the manufacturer during the year preceding the year for which the tax is paid, and it shall be the duty of the manufacturer or his or its authorized agent, in returning said tax, to furnish to the Tax Receiver of the County where the principal office and place of business of said manufacturer is located, a sworn statement of his or its gross sales.

on business done within the State of Georgia during the last preceding year, which statement shall be used as the basis for computing the amount of the tax due.

(b.) And upon every agent or representative of any foreign or non-resident manufacturer of syrup or syrups, extract or extracts used in the manufacturing, preparation or mixing of any such beverage or drink, an annual license or occupation tax as specified in the preceding division of this paragraph, as per schedule or scale therein set forth.

*Provided*, That if such foreign or non-resident manufacturer shall pay the amount of the occupation or license tax prescribed, as per schedule or scale, for resident manufacturers, that such agents or representatives of such non-resident manufacturers shall be relieved from said occupation tax.

Upon this amendment the ayes and nays were ordered, and the vote is as follows:

Those voting in the affirmative were Messrs.:

Akin	Griffith	McClure
Bowen	Harrell	Patterson
Burwell	Irwin	Price
Callaway of 10th	King	Pitts
Callaway of 29th	Morris	Slater
Calhoun	Mathews	Sellers
Cates	McDowell	Stevens
Day	McCurry	Ward of 5th
Gordy	McCollum	

Those voting in the negative were Messrs.:

Conley	Mays	Perry
Jackson	Murray	Rutherford
Kemp	McLean	Womblo
Longley	McWilliams	Wood

Those not voting were Messrs.:

Blackwell	Johnson	Ward of 7th
Harben	Rudieil	Mr. President

Ayes 26; Nays 12.

The amendment was adopted.

By unanimous consent, the following Senate resolutions were taken up for the purpose of putting same upon its passage:

By Mr. McCurry—

A resolution to provide for the disposition of certain funds arising from the appropriation by the United States to the Georgia troops during the Spanish-American War

The resolution was adopted.

The following bill was taken up which was the unfinished business:

By Mr. Reid—

A bill to levy and collect a tax for the maintenance of the State Government for the years 1910 and 1911.

The previous question was called and sustained, and main question ordered.

The following amendment was offered:

By Mr. Calhoun—

By adding at the end of Section 3 the following: Provided, that no such license shall be issued to any one to do or carry on such business in any town or city with less than 2,500 inhabitants, to be determined by the last census report of the United States census.

On this amendment the ayes and nays were ordered and the vote is as follows:

Those voting in the affirmative were Messrs.:

Burwell	Longley	Patterson
Calhoun	Mays	Price
Conley	Murray	Perry
Griffith	Morris	Pitts
Harrell	Mathews	Rutherford
Johnson	McLean	Slater
Jackson	McCurry	Sellers
Kemp	McCollum	Womble
King	McClure	Wood

Those voting in the negative were Messrs.:

Akin	Callaway of 29th	Irwin
Bowen	Cates	McWilliams
Blackwell	Day	Stevens
Callaway of 10th	Gordy	Ward of 5th

Those not voting were Messrs.:

Harben	Rudieil	Mr. President
McDowell	Ward of 7th	

Ayes 27; Nays 12.

The amendment was adopted.

The following amendment was offered by Mr. Price:

Section 7 Be it further enacted by the authority aforesaid, That every person, firm or corporation manufacturing within the limits of this State any beverage or drink or liquor imitation of or intended as a substitute for beer, ale, wine, whiskey or other alcoholic, spirituous or malt liquor, shall obtain a license so to do from the Ordinary of the County wherein such business is carried on, and shall pay for said license the sum of one thousand dollars (\$1,000.00) for each calendar year or part thereof, for each place of business.

Second. And that every person, firm or corporation who shall maintain a supply depot, warehouse, distributing office or other place of business within

this State where such beverage drinks or liquors referred to in the first paragraph of this Section are kept for sale or distribution, or are sold in wholesale quantities, that is to say, in quantities of more than five gallons, and that each and every agent or representative of each separate non-resident manufacturer, manufacturing firm or manufacturing corporations of any such beverages, drinks or liquors, and each person, firm or corporation handling the product of such non-resident manufacturer, manufacturing firm or corporation keeping for sale or for distribution or handling and selling any such drinks or beverages in this State in wholesale quantities as aforesaid, shall obtain a license so to do from the Ordinary of the County wherein such supply depot, warehouse, distributing office or other place of business by wholesale, and shall pay for said license the sum of one thousand dollars (\$1,000.00) for each calendar or part thereof for such place of wholesale business in this State. The said agents or representatives of non-resident manufacturers of such beverages and persons handling and selling by wholesale the product of such non-resident manufacturing persons, firms, or corporations shall obtain and pay for a separate license for each separate non-resident person, firm or corporation represented by them, or whose product is handled by them in wholesale quantities.

Third. And that every person, firm or corporation who shall sell, or offer for sale, in quantities of less than five gallons any such beverages, drinks



or liquors referred to in the first paragraph of this Section, shall first obtain a license so to do from the Ordinary of the county wherein such business is carried on, and shall pay for said license the sum of three hundred dollars (\$300.00) for each calendar year or part thereof for each place of business; provided, that no Ordinary shall issue any license to any person, firm or corporation to do or carry on such business outside of, nor shall any such license be construed to give authority to any person, firm or corporation to do or carry on any such business outside of the corporate limits of any incorporated city, town or village in this State.

Fourth. No person whomsoever shall be exempt from the duty of obtaining such licenses and paying said license fees required in the first three paragraphs of this Section. And that nothing in this Section shall ever be held, taken or construed to authorize the sale of any beverage, drink, or liquor now prohibited by law

Fifth. That all such imitations of or substitutes for beer, ale, wine, whiskey or other alcoholic, spiritous or malt liquors sold in any such places shall have stamped plainly on the vessels containing such liquid the name of the manufacturer thereof.

Sixth. That any person who shall carry on any business named in either of the first three paragraphs of this Section without having first obtained

the license or licenses in this Section required, and paid therefor as provided for by this Section, shall be guilty of a misdemeanor and punished accordingly

Seventh. Any person who shall sell, or furnish, keep or give away under color of the license herein required, any liquor, drink or beverage prohibited by law, shall, in addition to any penalty which he may otherwise be liable to, forfeit said license, and be forever disqualified from holding any such license or being in the employment of any person holding such license; and any person holding such license who shall knowingly employ any person so disqualified, shall forfeit his license and be in like manner disqualified.

Eighth. That the ordinary collecting the license fees required by the Section shall account for and pay over to the Treasury of the State, all moneys collected under the provisions of this Section, less a license fee of two and 50 100 dollars for issuing said license, and the license fee herein allowed to be the full compensation for all services, incident to the registering names of persons to whom licenses are issued, collecting and remitting the net amounts to the State Treasury as provided for in this Section, and the Ordinary shall make monthly reports to the Comptroller-General and monthly remittances to the State Treasury, furnishing in said reports the names and places of business of all persons, firms or corporations to whom licenses have been

issued under the provisions of this Section. Any Ordinary who fails to make the reports or to make remittances as required by this Section, shall forfeit all commissions herein allowed.

Amend by adding at the end of Section 3 of the Senate substitute for Section 7 of the original bill.

Provided, that no ex-Confederate veteran shall, at any time, be allowed to do or to engage in the sale of near beer in this State without first complying with the license of this State. And provided further, that no ex-Confederate veteran shall be permitted to engage in the sale of near beer in any municipality in this State without first obtaining the permission of the proper authorities of such municipality

Upon this amendment the ayes and nays were ordered, and the vote is as follows:

Those voting in the affirmative were Messrs.:

Burwell	Kemp	McCollum
Blackwell	Longley	McClure
Calhoun	Mays	Patterson
Conley	Morris	Price
Day	Mathews	Rutherford
Gordy	McLean	Slater
Griffith	McDowell	Sellers
Irwin	McCurry	Womble
Johnson	McWilliams	Wood

Those voting in the negative were Messrs.:

Akin	Callaway of 10th	Cates
Bowen	Callaway of 29th	Harrell

Jackson	Perry	Ward of 5th
King	Pitts	
Murray	Stevens	

Those not voting were Messrs.:

Harben	Rudicil	Ward of 7th
		Mr. President

Ayes 27; Nays 13.

The amendment was adopted.

The report of the Committee was agreed to, as amended.

Upon the passage of the bill the ayes were 29, nays 5.

The bill having received the requisite Constitutional majority, was passed, as amended, and the amendments are as follows:

Amend by striking out the eighth sub-section of Section 2, and inserting in lieu thereof, the following:

Eighth. Upon every agent of, and upon every dealer in, and upon every person soliciting orders for the sale of, or purchase of automobiles, or other self-propelling vehicles, the sums as set out below, for each agency, or place of business, or where a sale or sales are made:

In each County with a population of less than twenty thousand, twenty-five dollars.

In each County with a population of more than twenty thousand, and not more than thirty thousand, fifty dollars.

In Counties with populations more than thirty thousand and not more than fifty thousand, seventy-five dollars.

In Counties with populations more than fifty thousand and not more than seventy-five thousand, one hundred dollars.

In Counties with populations more than seventy-five thousand and not more than one hundred thousand, one hundred and fifty dollars.

In Counties with populations more than one hundred thousand and not more than one hundred and fifty thousand, two hundred dollars.

In Counties with populations of not more than one hundred and fifty thousand, two hundred and fifty dollars.

Population in each instance shall be determined by census of United States of 1900.

Amend Section 6 by adding new paragraph at the end thereof to be numbered paragraph three, as follows:

Third. Be it further enacted by the authority aforesaid, That whenever any insurance company, doing business in this State, shall make it appear by proof satisfactory to the Insurance Commissioner that one-fourth in amount of its total assets are invested in any or all of the following securities or property, to-wit: bonds of this State or of any County or municipality of this State, property situated in this State and taxable therein, loans secured by liens on real estate situated in this State or policy loans secured by insurance policies issued by such company on lives of persons resident in this State, then the premium tax levied by the first paragraph of this Section, shall be abated or reduced to one-half of one per centum upon the gross receipts of such company, and if the amounts so invested by any such company shall be as much as three-fourths of the total assets of such company, then said premium tax shall be abated or reduced to one-tenth of one per centum upon such gross receipts of such company."

Amend sub-section 52 of Section 2 by striking all the words thereof and inserting in lieu of the words so stricken, the following words:

"On all persons owning or keeping one or more male dogs the sum of one dollar per dog; on all persons owning or keeping one or more open female dogs the sum of two dollars per dog; such tax to be enforced against the owner or keeper

by execution, levy and sale as other taxes are collected; this tax not to interfere with the imposition and collection of any municipal tax on dogs; said tax to be due and collectible when and as other taxes are collected.

The owners of dogs shall make returns to the Tax Receivers as other property is returned. The Tax Receivers shall keep correct digests of such returns in separate books, specially designed for the purpose, giving the sex, age, color and breed of the dogs returned, date of return, and name and post office address of the owner, or keeper, which books shall be kept and disposed of as other tax digest books: and they shall be provided in the same manner as other digest books are provided.

The Tax Collector shall procure and keep on hand metal tags, one by two inches in size, with a slot in each end of the tag by which it may be fastened to a collar, on which tags shall be stamped or engraved consecutive numbers and the year for which the tax is due. Upon the payment of the tax in each respective year said Tax Collectors shall deliver to the owners of dogs on which tax is paid one of said tags for each dog for which tax is paid; and he shall at the same time make an entry upon the digest showing the dog for which the tax was paid and the number of the tag. The owner of the dog shall fasten said tag by appropriate collar around the neck of the dog for which the tax was paid, and

he shall keep the same continuously around said dog's neck until another year's tax has become due, or has been paid.

It shall be the duty of the Constables of this State to report to the Tax Collectors, by correct description, all dogs that may be found in their respective militia districts being without tags, and not having had a tag for the respective year, as herein provided, and they shall also report the names of the owners or keepers of such dogs. It shall be the duty of the Tax Collectors to deal with such owners or keepers as other tax defaulters are dealt with, and they shall collect double tax from such owners or keepers as other double taxes are collected. The Constables making such reports shall be paid the sum of fifty cents for each dog reported, for which double tax may be collected; the same to be paid by the Tax Collector, for which he shall receive credit in his settlements for taxes collected by him; he shall also be allowed in his settlements for taxes collected the actual cost of tags purchased for use as herein provided.

Be it further enacted, That tax executions may be levied on dogs as other property, and if at execution sale, a dog does not bring enough to pay the tax due on such dog and the cost of levy and sale, the officer conducting the sale shall forthwith kill, or cause to be killed, such dog.



Committee amends by offering the following as a substitute for Section 2, Paragraph 38:

Thirty-eighth. (a.) Upon every manufacturer in this State of any syrup or syrups, extract or extracts, used for the manufacturing, mixing or preparation of any beverages or drinks of any kind, whether sold at wholesale or retail, a tax to be graduated as follows:

Upon every manufacturer whose gross sales upon business within the State of Georgia do not exceed the sum of \$1,000.00, the sum of Five Dollars.

Upon every manufacturer whose gross sales upon business within the State of Georgia exceed the sum of \$1,000.00, but do not exceed \$2,000.00, the sum of Seven and 50/100 Dollars.

Upon every manufacturer whose gross sales upon business within the State of Georgia exceed the sum of \$2,000.00, but do not exceed \$5,000.00, the sum of Twelve and 50/100 Dollars.

Upon every manufacturer whose gross sales upon business within the State of Georgia exceed the sum of \$5,000.00, but do not exceed \$10,000.00, the sum of Seventeen and 50/100 Dollars.

Upon every manufacturer whose gross sales upon business within the State of Georgia exceed the sum of \$10,000.00, but do not exceed \$15,000.00, the sum of Twenty-five Dollars.

Upon every manufacturer whose gross sales upon business within the State of Georgia exceed the sum of \$15,000.00, but do not exceed \$20,000.00, the sum of Fifty Dollars.

Upon every manufacturer whose gross sales upon business within the State of Georgia exceed the sum of \$20,000.00, but do not exceed \$25,000.00, the sum of Seventy-five Dollars.

Upon every manufacturer whose gross sales upon business within the State of Georgia exceed the sum of \$25,000.00, but do not exceed \$50,000.00, the sum of One Hundred Dollars.

Upon every manufacturer whose gross sales upon business within the State of Georgia exceed \$50,000.00, but do not exceed \$100,000.00, the sum of Two Hundred Dollars.

Upon every manufacturer whose gross sales upon business within the State of Georgia exceed \$100,000.00, but do not exceed \$200,000.00, the sum of Four Hundred Dollars.

Upon every manufacturer whose gross sales upon business within the State of Georgia exceed \$200,000.00, but do not exceed \$300,000.00, the sum of Six Hundred Dollars.

Upon every manufacturer whose gross sales upon business within the State of Georgia exceed \$300,000.00, but do not exceed \$500,000.00, the sum of One Thousand Dollars.

000.00, but do not exceed \$400,000.00, the sum of Eight Hundred Dollars.

Upon every manufacturer whose gross sales upon business within the State of Georgia exceed \$400,000.00, but do not exceed \$500,000.00, the sum of One Thousand Dollars.

Upon every manufacturer whose gross sales upon business within the State of Georgia exceed \$500,000.00, but do not exceed \$600,000.00, the sum of One Thousand and Two Hundred Dollars.

Upon every manufacturer whose gross sales upon business within the State of Georgia exceed \$600,000.00, but do not exceed \$700,000.00, the sum of One Thousand and Four Hundred Dollars.

Upon every manufacturer whose gross sales upon business within the State of Georgia exceed \$700,000.00, but do not exceed \$800,000.00, the sum of One Thousand and Six Hundred Dollars.

Upon every manufacturer whose gross sales upon business within the State of Georgia exceed \$800,000.00, but do not exceed \$900,000.00, the sum of One Thousand and Eight Hundred Dollars.

Upon every manufacturer whose gross sales upon business within the State of Georgia exceed \$900,000.00, the sum of Two Thousand Dollars.

The tax herein laid shall be based upon the gross sales of the manufacturer during the year preceding the year for which the tax is paid, and it shall be the duty of the manufacturer or his or its authorized agent, in returning said tax, to furnish to the Tax Receiver of the county where the principal office and place of business of said manufacturer is located, a sworn statement of his or its gross sales, on business done within the State of Georgia during the last preceding year, which statement shall be used as the basis for computing the amount of the tax due.

(b). And upon every agent or representative of any foreign or non-resident manufacturer of syrup or syrups, extract or extracts used in the manufacturing, preparation or mixing of any such beverage or drinks, an annual license or occupation tax as specified in the preceding division of this paragraph, as per schedule or scale therein set forth.

*Provided*, That if such foreign or non-resident manufacturer shall pay the amount of the occupation or license tax prescribed, as per schedule or scale, for resident manufacturers, that such agents or representatives of such non-resident manufacturers shall be relieved from said occupation tax.

Committee amends by adding a new paragraph, to be numbered appropriately :

That any person or persons, firm or corporation engaged in the manufacturing for sale, cider, the sum of Fifty Dollars as an occupation tax or license,

and upon every agent or representative of any foreign or non-resident manufacturer of ciders, an annual license or occupation tax as required by resident manufacturers.

Committee amends by adding additional paragraph of Section 2:

Upon every company, firm or individual compiling a city directory, or directory of any character, and selling the same, or supplying the same on subscription, the sum of Fifty Dollars.

Committee amends General Tax Act by adding a new paragraph of Section 2, to be appropriately placed and numbered, to-wit:

Upon every manufacturer of mowing machines, reaping and binding machines, gas engines, selling or dealing in mowers, reapers and binders and gas machines, by itself, or its agents in this State, and all wholesale and retail dealers in mowers, reapers and binders and gas engines, selling machines or gas engines manufactured by companies that have not paid the tax herein, shall pay One Hundred (\$100.00) Dollars, the same to be paid to the Comptroller-General annually, at the time of commencement of business; and to be known as a license fee for the privilege of doing business in this State. All companies and others paying this license fee shall, at the time of payment of same, furnish the Comptroller-General with a list of all agents author-

ized to sell mowers, reapers and binders and gas engines of their manufacture, or under their control, and shall pay to said Comptroller General the sum of Ten (\$10.00) Dollars for each of said agents for the fiscal year, or fractional part thereof for each County in which said agent may do business. Upon the payment of the said Ten (\$10) Dollars, the Comptroller-General shall issue to each of said agents a certificate of authority to transact business in this State. Before commencing business under this Act, all such agents shall be required to register their names with the Ordinaries of those counties in which they intend to do business and shall exhibit to said Ordinaries their license from the Comptroller-General. Wholesale and retail dealers in mowers, reapers and binders and gas engines shall be required to pay the tax provided herein for each manufacturer of the above machines sold by them, except the manufacture of such companies as have paid the tax required by this Act. All unsold mowers, reapers and binders and gas engines, belonging to mowing, reaping or binding machines or gas engine companies, dealers or their agents, in possession of said companies, dealers, their agents, or others, shall be liable to seizure and sale for the payment of such fees, license or tax.

None of the provisions of this Section shall apply to licensed auctioneers, selling second-hand machines, or to officers of the law under legal process, or to merchants buying and selling machines or gas

engines on which a license tax has been paid, as herein provided, and who keep the machines or gas engines and sell and deliver them from their place of business.

Any person who shall violate the provisions of this Section shall be liable to indictment for a misdemeanor, and on conviction, shall be punished as prescribed in Section 1039, Volume 3, of the Code of 1895.

Committee moves to amend Section 2, Paragraph 46, sub-paragraph 2, as follows:

By adding at the end of the Section the following: “*Provided*, That not more than Fifty Dollars shall be required of any one person in any one County under this Section.”

Committee amends Section 2, Paragraph 29th, line 7, after “each” and before the word “shall,” in line 8, by striking the following words: “Member of the Gypsy gang.”

Committee amends Section 2, Paragraph 35, by striking the words “twenty-five,” in line 3, and by inserting the words “One Hundred.”

Committee amends Section 2, Paragraph 36, by striking the words “twenty-five,” in line 4, by inserting instead the words “One Hundred.”

Amend Section 6 by adding new paragraph at the end thereof, to be numbered paragraph 3, as follows:

Third. Be it further enacted by the authority aforesaid, That whenever any insurance company, doing business in this State, shall make it appear by proof satisfactory to the Insurance Commissioner that one-fourth in amount of its total assets are invested in any or all of the following securities or property, to-wit: bonds of this State or of any County or municipality of this State, property situated in this State and taxable therein, loans secured by liens on real estate situated in this State or policy loans secured by insurance policies issued by such company on lives of persons resident in this State, then the premium tax levied by the first paragraph of this Section, shall be abated or reduced to one-half of one per centum upon the gross receipts of such company, and if the amounts so invested by any such company shall be as much as three-fourths of the total assets of such company, then said premium tax shall be abated or reduced to one-tenth of one per centum upon such gross receipts of such company

Committee amends Section 6, second paragraph, in line two, and between the words "every" and "life," the following words, to-wit: "Fire insurance company and."

Committee amends Section 11, line 22, after the word "assessment," the words "and collection."



Committee amends Section 2, Paragraph 14, line 1, after the word "every," by inserting the words "person or."

Committee amends Section 2, fifteenth paragraph, by striking the same and inserting the following:

Upon each detective agency, company, person or corporation doing business of detective, for hire or compensation, the sum of One Hundred Dollars for each office established in this State; and if no established office, then in each County where they do or offer to do business.

Amend Section 2, Paragraph 25, 5, as follows:

(1) By striking out the words "Two Hundred Dollars," where they occur, and inserting "One Hundred Dollars."

(2) By striking out the words "Fifty Dollars," where they occur, and inserting "Fifty Dollars."

(3) By striking out the words "Twenty-Five Dollars," where they occur, and inserting "Twenty-Five Dollars."

(4) By striking out the words "Ten Dollars," where they first occur, and inserting "Ten Dollars."

(5) By striking out all further provisions of the sub section, than those amended above.

Committee amends Section 2, Paragraph 18, by adding at the end thereof, the following words, to wit:

*Provided*, That the provisions of this Section shall not apply to attorneys at law of this State who have paid their professional taxes.

Amend Paragraph 31, Section            by striking out the following words:

Corporations with capital not exceeding \$25,000, \$5.00.

Also,

Amend same section next line by striking \$10.00, and inserting \$15.00.

Amend Paragraph 32, line 4, strike out "them," and insert "they "

Amend Paragraph 42, by striking out 25, and inserting \$10 before the word Dollars.

Amend Paragraph 29, by striking out last sentence beginning at the words "each member of the Gypsy Gang."

Strike out \$200.00 and insert \$300.00, on Sewing machines.

The following Senate resolution was read and adopted:

By Mr. Morris—

A resolution requesting the State Printer to publish the Acts and have them ready for use within sixty days.

The following House bill was read second time and recommitted:

By Messrs. McCurry, Davis and others—

A bill to regulate the registration of voters and making up registration list for special elections in this State.

On motion the Senate adjourned until tomorrow morning at 9:00 o'clock.

SENATE CHAMBER, ATLANTA, GEORGIA.

WEDNESDAY, AUGUST 11, 1909.

The Senate met pursuant to adjournment at 9:00 o'clock; was called to order by the President.

Prayer was offered by the Chaplain.

On motion, the roll call was dispensed with.

On motion, the reading of the Journal was dispensed with.

Mr. Jackson, Chairman of the Committee on Immigration and Labor, submitted the following report:

*Mr President:*

The Committee on Immigration and Labor has had under consideration the following House bill which I am instructed to report back to the Senate, with the recommendation that the same do pass, to-wit:

A bill to be entitled an Act relating to the liability of common carriers by railroads.

Respectfully submitted.

J. B. JACKSON, Chairman.

Mr. Patterson, Chairman of the Committee on Engrossing, submitted the following report:

*Mr. President:*

The Committee on Engrossing have examined and found properly engrossed and ready for transmission to the House, the following resolution of the Senate, to-wit:

A resolution to dispose of the fund left over from the Spanish-American War.

A resolution requesting publication of Georgia laws within sixty days after adjournment of General Assembly

Respectfully submitted,

L. F. PATTERSON, Chairman

Mr. Mathews, Chairman of Committee on Corporations, submits the following report:

*Mr. President:*

The Committee on Corporations has had under consideration the following House bill which I am instructed to report back to the Senate with the recommendation that same do pass:

A bill to provide for the codification of the laws

of Georgia and to provide for the payment of expenses for same, and for other purposes.

Respectfully submitted,

H. A. MATHEWS, Chairman.

The following House bills were read third time and put upon their passage:

By Mr. Meadows, of Telfair—

A bill to amend an Act to authorize the establishment of a system of Public Schools for the town of Lumber City

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Messrs. Price and Johnson—

- A bill to amend the Charter of the town of Adairsville for certain purposes.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27,  
nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Redding—

A bill to create a Charter for the City of Zebulon.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 26,  
nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Henderson, of Irwin—

A bill to amend Act to create a Board of Commissioners of Roads and Revenues in and for the County of Irwin.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 26,  
nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Boyd—

A bill to prohibit the removal of any sand or dirt from the public roads of Spalding County

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Boyd—

A bill to amend the Charter of the City of Griffin.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Walters—

A bill to amend an Act to create a Board of Commissioners of Roads and Revenues for the County of Colquitt, and for other purposes.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.



The bill having received the requisite Constitutional majority, was passed.

By Mr. Calbeck—

A bill to amend the Charter of the town of Calhoun.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Boyd—

A bill to amend the Charter of the City of Griffin.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Ault

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A bill to amend the Act to consolidate, amend and

supersede the several Acts incorporating the town of Rockmart.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Pope—

A bill to amend the Act establishing the City Court of Quitman, Ga.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Cannon—

A bill to repeal an Act to incorporate the town of Clayton.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr Carswell—

A bill to repeal an Act to create a Board of Commissioners of Roads and Revenues for the County of Wilkinson.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Henderson, of Irwin—

A bill to amend an Act to fix the corporate limits of the City of Ocilla.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Whiteley

A bill to amend an Act creating a Board of Commissioners of Glascock County

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Messrs. Hardeman and Holder—

A bill to repeal an Act to incorporate the City of Harmony Grove.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Allen—

A bill to incorporate the city of East Thomaston.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Messrs. Boyd, Hill, Huie, and others—

A bill to authorize electric, street, suburban and interurban railroad companies to acquire by purchase, lease, consolidation or merger the stock, property rights and franchises of other such companies and of companies formed to generate electricity, and for other purposes.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Reid—

A bill to levy a tax as requested by the Constitution to raise the sinking fund to pay off and retire the valid bonds of the State as they mature, and for other purposes.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27,  
nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Cannon—

A bill to incorporate the City of Clayton.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27,  
nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Messrs. Hardeman and Holder—

A bill to incorporate the City of Commerce.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27,  
nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. McMichael—

A bill to create a new Charter for the City of Jackson.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Roberts —

A bill to amend an Act approved August 23, 1905, also to amend an Act approved August 10, 1906, establishing the City Court of Eastman.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. McArthur—

A bill to incorporate the town of Alamo.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27,  
nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr Ford—

A bill to amend an Act incorporating the City of  
Sylvester.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27,  
nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Calbeck—

A bill to amend the Charter and extend the corporate limits of the town of Calhoun.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27  
nays 0.

The bill having received the requisite Constitutional majority, was passed.



By Mr. Ellison—

A bill to amend Section 982, Volume 1, of Code of 1895, so as to add Chipley to the list of State Depositories.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Reid—

A bill to create in this State the office of Corporation Clerk.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Upshaw—

A bill to authorize the Commissioner of Pensions to pay the amount due the husband which is placed on the pension rolls to be paid a pension for the fol-

lowing year and dies before the 1st day of January following.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite Constitutional majority, was passed by substitute, as amended. The amendment is as follows:

Amend by adding to Section 1 the following: That those widows entitled, whose husbands died before the passage of this bill, be passed on by the Commissioner of Pensions, and that he report the name or names of said pensions to the Governor, and that the Governor is authorized to draw his warrant in favor of those so reported to be paid out of any funds in the Treasury

By Messrs. Alexander, McElreath and Brown—

A bill to amend the Charter of the City of Atlanta.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed, as amended, and the amendments are as follows:

Amend by inserting after the word “are” in the third Section of said bill the words “hereby,” and by striking from said Section the words “and confined,” being the last two words of said Section, so that said Section, when amended, will read as follows:

Section 3. Be it further enacted by the authority aforesaid, That the franchises and privileges, heretofore granted by the City of Atlanta to the Piedmont Power Co., of Atlanta, are hereby ratified.

By Mr. Carswell—

A bill to be entitled an Act to create a Board of Commissioners of Roads and Revenues for the County of Wilkinson, and for other purposes.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Messrs. Hardeman and Gastley—

A bill to provide for shipping and keeping with the Ordinaries of this State by the State Board of Health diphtheritic antitoxine.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Messrs. Reid and McWhorter—

A bill to provide that the funds arising from the license tax on imitations or substitutes for beer, ale, wine, whiskey, or other spirituous or malt liquors shall be made available for meeting the general expenses of the State.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Barrett—

A bill to amend the Charter of the City of Toccoa so as to change the term of the Mayor.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Meadows—

A bill to provide for a system of Public Schools for the City of Helena, and for other purposes.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Messrs. Brown and Anderson—

A bill to provide for additional funds for the maintenance, support and equipment of Agricultural and Industrial Schools in each Congressional District of this State.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes and nays were ordered, and the vote is as follows:

Those voting in the affirmative were Messrs.:

Akin  
Bowen  
Burwell

Blackwell  
Callaway of 10th  
Calhoun

Cates  
Conley  
Day

Gordy	Mays	Rutherford
Griffith	Murray	Slater
Harrell	Mathews	Stevens
Harben	McLean	Ward of 5th
Jackson	McWilliams	Womble
Kemp	Perry	Wood
Longley	Pitts	

Those voting in the negative were Messrs.:

Patterson

Those not voting were Messrs.:

Callaway of 29th	McDowell	Rudieil
Irwin	McCurry	Sellers
Johnson	McCollum	Ward of 7th
King	McClure	Mr. President
Morris	Price	

Ayes, 29; nays, 1.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Hardeman—

A bill to make additional appropriation to the State Board of Health for the manufacture of virus for the treatment of hydrophobia in this State.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes and nays were ordered, and the vote is as follows:

Those voting in the affirmative were Messrs.:

Akin	Harben	McWilliams
Bowen	Jackson	Patterson
Burwell	Kemp	Perry
Blackwell	King	Pitts
Callaway of 10th	Longley	Rutherford
Calhoun	Mays	Slater
Cates	Murray	Sellers
Couley	Mathews	Ward of 5th
Day	McLean	
Gordy	McDowell	
Griffith	McCurry	

Those not voting were Messrs.:

Callaway of 29th	McCollum	Ward of 7th
Harrell	McClure	Womble
Irwin	Priece	Wood
Johnson	Rudicil	Mr. President
Morris	Stevens	

Ays 31; Nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Henderson—

A bill to appropriate ten thousand dollars to the State Board of Entomology for 1909 to be used in experimental work on black root in cotton.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes and nays were ordered, and the vote is as follows:

Those voting in the affirmative were Messrs.:

Akin	Harben	McCollum
Bowen	Irwin	McClure
Burwell	Jackson	Patterson
Blackwell	Kemp	Pitts
Callaway of 10th	King	Rutherford
Calhoun	Longley	Slater
Cates	Mays	Sellers
Conley	Murray	Stevens
Day	Mathews	Womble
Gordy	McLean	Wood
Griffith	McCurry	
Harrell	McWilliams	

Those not voting were Messrs.:

Callaway of 29th	Price	Ward of 7th
Johnson	Perry	Mr. President
Morris	Rudicil	
McDowell	Ward of 5th	

Ayes 34; Nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Messrs. Sheppard, Griffin and others—

A bill to provide for the codification of the laws of Georgia and to provide for the payment of the expenses of the same.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes and nays were ordered, and the vote is as follows:



Those voting in the affirmative were Messrs.:

Akin	Jackson	McClure
Bowen	Kemp	Patterson
Burwell	King	Perry
Blackwell	Longley	Pitts
Callaway of 10th	Mays	Rutherford
Calhoun	Murray	Slater
Cates	Mathews	Stevens
Conley	McLean	Ward of 5th
Day	McDowell	Womble
Griffith	McCurry	Wood
Harrell	McWilliams	
Harben	McCollum	

Those not voting were Messrs.:

Callaway of 29th	Morris	Ward of 7th
Gordy	Price	Mr. President
Irwin	Rudicil	
Johnson	Sellers	

Ayes 34; Nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Anderson—

A bill to pay the Sergeant-at-Arms of the McLendon investigation Committee the sum of \$82.50.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes and nays were ordered, and the vote is as follows:

Those voting in the affirmative were Messrs.:

Akin	Johnson	Patterson
Bowen	Jackson	Price
Burwell	Kemp	Perry
Blackwell	King	Pitts
Callaway of 10th	Longley	Slater
Conley	Mays	Sellers
Day	Murray	Stevens
Gordy	Mathews	Ward of 5th
Griffith	McLean	Womble
Harrell	McWilliams	Wood
Harben	McCollum	
Irwin	McClure	

Those voting in the negative were Messrs.:

McCurry

Those not voting were Messrs.:

Callaway of 29th	Morris	Rudicil
Calhoun	McDowell	Ward of 7th
Cates	Rutherford	Mr. President

Ayes, 34; nays, 1.

The bill having received the requisite Constitutional majority, was passed.

The following House resolutions were also read third time and put upon their passage:

By Mr. Hardeman—

A resolution to pay to the stenographers to the

McLendon investigation Committee six hundred and twelve dollars and fifty cents.

Report of Committee was agreed to.

Upon the passage of the bill the ayes and nays were ordered, and the vote is as follows:

Those voting in the affirmative were Messrs.:

Akin	Johnson	McCollum
Bowen	Jackson	Patterson
Burwell	Kemp	Price
Blackwell	King	Perry
Cates	Longley	Pitts
Conley	Mays	Rutherford
Day	Murray	Slater
Gordy	Mathews	Stevens
Griffith	McLean	Ward of 5th
Harrell	McDowell	Womble
Harben	McWilliams	Wood

Those voting in the negative were Messrs.:

McCurry

Those not voting were Messrs.:

Calloway of 10th	Morris	Ward of 7th
Calloway of 29th	McClure	Mr. President
Calhoun	Rudicil	
Irwin	Sellers	

Ayes 33; Nays 1.

The bill having received the requisite Constitutional majority, was passed.

By Messrs. Alexander, Brown and McElreath

A resolution providing for the payment to Chas. P Byrd, State Printer, the sum of \$550.00.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes and nays were ordered, and the vote is as follows:

Those voting in the affirmative were Messrs.:

Akin	Harben	McClure
Bowen	Jackson	Patterson
Burwell	Kemp	Perry
Blackwell	King	Pitts
Calloway of 10th	Longley	Slater
Calhoun	Mays	Sellers
Cates	Murray	Stevens
Conley	Mathews	Ward of 5th
Day	McLean	Womble
Gordy	McDowell	Wood
Griffith	McCurry	
Harrell	McCollum	

Those not voting were Messrs.:

Calloway of 29th	McWilliams	Ward of 7th
Irwin	Price	Mr. President
Johnson	Rutherford	
Morris	Rudicil	

Ayes 34; Nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Hall—

A resolution to authorize the Governor to draw his warrant in favor of J. Pope Brown, Treasurer, for the sum of \$4,812.57, the amount of decree against the State in case of R. E. Park, Treasurer, vs. Neal Bank.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes and nays were ordered, and the vote is as follows:

Those voting in the affirmative were Messrs.:

Akin	Harben	McWilliams
Bowen	Irwin	McCollum
Burwell	Johnson	McClure
Blackwell	Jackson	Patterson
Calloway of 10th	King	Perry
Calloway of 29th	Longley	Pitts
Calhoun	Mays	Sellers
Cates	Murray	Stevens
Conley	Mathews	Ward of 5th
Griffith	McLean	Womble
Harrell	McCurry	Wood

Those not voting were Messrs.:

Day	McDowell	Slater
Gordy	Price	Ward of 7th
Kemp	Rutherford	Mr. President
Morris	Rudicil	

Ayes 33; Nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Alexander—

A resolution to appropriate a sufficient amount of money to meet deficiency in the amount available to meet the cost of publishing new volumes of Supreme Court and Court of Appeals Reports for the year 1909.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes and nays were ordered, and the vote is as follows:

Those voting in the affirmative were Messrs.:

Akin	Harrell	McCollum
Bowen	Harben	McClure
Burwell	Irwin	Patterson
Blackwell	Johnson	Perry
Calloway of 10th	Jackson	Pitts
Calloway of 29th	Longley	Sellers
Calhoun	Mays	Stevens
Cates	Murray	Ward of 5th
Conley	Mathews	Wood
Day	McLean	
Griffith	McCurry	

Those not voting were Messrs.:

Gordy	McWilliams	Ward of 7th
Kemp	Price	Womble
King	Rutherford	Mr. President
Morris	Rudicil	
McDowell	Slater	

Ayes 31; Nays 0.

The bill having received the requisite Constitutional majority, was passed.

By Messrs. Vinson and Tuggle—

A bill to appropriate the sum of \$8,000.00 for the purpose of building two negro reformatories, etc., upon the lands of State farm in Baldwin County

Report of the Committee was agreed to.

Upon the passage of the bill the ayes and nays were ordered, and the vote is as follows:

Those voting in the affirmative were Messrs.:

Akin	King	Patterson
Burwell	Longley	Price
Blackwell	Mays	Perry
Cates	Murray	Pitts
Conley	Morris	Rutherford
Gordy	Mathews	Slater
Griffith	McDowell	Stevens
Harrell	McCurry	Ward of 5th
Jackson	McCollum	Womble
Kemp	McClure	Wood

Those voting in the negative were Messrs.:

Calhoun	McLean
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Those not voting were Messrs.:

Bowen	Harben	Rudicil
Calloway of 10th	Irwin	Sellers
Calloway of 29th	Johnson	Ward of 7th
Day	McWilliams	Mr. President

Ayes 30; Nays 2.

The bill having received the requisite Constitutional majority, was passed.

By Messrs. Johnson and Reid—

A bill to protect the live stock of the State of Georgia from all contagious or infectious diseases.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes and nays were ordered, and the vote is as follows:

Those voting in the affirmative were Messrs.:

Akin	Mays	Patterson
Bowen	Murray	Price
Burwell	Morris	Perry
Blackwell	Mathews	Pitts
Cates	McLean	Rutherford
Conley	McDowell	Slater
Gordy	McCurry	Stevens
Griffith	McWilliams	Ward of 5th
King	McCollum	Womble
Longley	McClure	Wood

Those voting in the negative were Messrs.:

Calhoun                      Day

Those not voting were Messrs.:

Callaway of 10th	Irwin	Rudicil
Callaway of 29th	Johnson	Sellers
Harrell	Jackson	Ward of 7th
Harben	Kemp	Mr. President

Ayes 30; Nays 2.

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The bill having received the requisite Constitutional majority, was passed.

By Mr. Peacock—

A bill providing that the Treasurer of Georgia shall be ex-officio Bond Commissioner.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 1.

The bill having received the requisite Constitutional majority, was passed.

By Mr. Drawdy—

A bill to divide the ten Counties now composing the Brunswick Judicial Circuit into two Circuits, to be known as the Brunswick and Waycross Circuits, etc.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite Constitutional majority, was passed.

Committee on part of Senate on the bill to codify the laws of Georgia:

Senators Mathews and Burwell.

The following special order was taken up:

By Mr. Jones—

A bill to make appropriation for the ordinary expenses of the Executive, Legislative and Judicial Departments of the State for the years 1910 and 1911.

The following amendment was offered by Committee:

Amend Section 3 by striking the words: "For compensation of five pages for the Senate, to be appointed by the messenger of the Senate, and six pages for the House of Representatives, to be appointed by the Speaker, two dollars per diem each, for the sessions 1910 and 1911," and substituting therefor the following: "For compensation of five pages for the Senate, to be appointed by the President of the Senate, and six pages of the House of Representatives, to be appointed by the Speaker, two dollars per diem each, for the sessions of 1910 and 1911. Provided, no page shall be appointed for a period of less than twenty-five days."

On the adoption of this amendment the ayes and nays were ordered, and the vote is as follows:

Those voting in the affirmative were Messrs:

Akin	Mathews	Price
Burwell	McCurry	Slater
Mays	McWilliams	Stevens
Morris	McCollum	Wood

Those voting in the negative were Messrs:

Bowen	Harrell	McClure
Blackwell	Harben	Patterson
Calloway of 10th	Johnson	Perry
Calhoun	Jackson	Pitts
Cates	Kemp	Rutherford
Conley	King	Sellers
Day	Longley	Womble
Gordy	Murray	
Griffith	McLean	

Those not voting were Messrs:

Callaway of 29th	Rudieil	Mr. President
Irwin	Ward of 5th	
McDowell	Ward of 7th	

Ayes 12; Nays 25.

The amendment was lost.

The following amendment was offered by Mr. Calhoun:

By striking from lines 67 and 68 the figures “\$2,250,000 for 1910” and inserting in lieu “\$2,200,000 for the year 1910.”

Upon this amendment the ayes and nays were ordered, and the vote is as follows:

Those voting in the affirmative were Messrs:

Burwell	Gordy	Perry
Blackwell	Irwin	Slater
Calhoun	Mathews	
Day	Price	

Those voting in the negative were Messrs:

Akin	King	McClure
Bowen	Longley	Patterson
Cates	Mays	Pitts
Conley	Murray	Rutherford
Griffith	Morris	Sellers
Harrell	McLean	Stevens
Harben	McDowell	Ward of 5th
Johnson	McCurry	Womble
Jackson	McWilliams	Wood
Kemp ,	McCollum	

Those not voting were Messrs:

Calloway of 10th	Rudicil	Mr. President
Callaway of 29th	Ward of 7th	

Ayes 10; Nays 29.

The amendment was lost.

Report of the Committee was agreed to.

Upon the passage of the bill the ayes and nays were ordered, and the vote is as follows:

Those voting in the affirmative were Messrs.:

Akin	Kemp	Patterson
Burwell	King	Price
Blackwell	Longley	Perry
Calhoun	Mays	Pitts
Cates	Murray	Rutherford
Conley	Morris	Slater
Gordy	Mathews	Sellers
Griffith	McLean	Stevens
Harrell	McDowell	Ward of 5th
Harben	McCurry	Wood
Irwin	McWilliams	Womble
Johnson	McCollum	
Jackson	McClure	

Those voting in the negative were Messrs:

Day

Those not voting were Messrs:

Bowen	Callaway of 29th	Ward of 7th
Callaway of 10th	Rudieil	Mr. President

Ayes 37; Nays 1.

The bill having received the requisite Constitutional majority, was passed, as amended, and the amendments are as follows:

The following amendments were adopted:

Amend Section 4 by striking out the words "forty-two thousand five hundred dollars," referring to appropriation for support and maintenance of the Georgia School for the Deaf and Dumb, and substituting the words "fifty thousand dollars."

Amend clause of Section 5, referring to support and maintenance of the State University at Athens, by striking the words and figures "thirty-two thousand, five hundred dollars (\$32,500)" and substituting therefor the words and figures "thirty-seven thousand five hundred dollars (\$37,500)."

Amend the clause of Section 5, referring to support and maintenance of the School of Technology, at Atlanta, by striking the words and figures "sixty thousand dollars (\$60,000)" and inserting in lieu thereof the words and figures "seventy thousand (\$70,000) dollars."

Amend the clause of Section 5, referring to the support and maintenance of the State Normal School at Athens, by striking the words and figures "thirty thousand (\$30,000) dollars," and substituting in lieu thereof the words "forty-two thousand (\$42,000) dollars."

Amend Section 5 by striking all of the clause thereof referring to the support and maintenance of the State College of Agriculture at Athens, and substituting therefor the following clause: "The University of Georgia, for the support and maintenance of the State College of Agriculture at Athens, the sum of sixty thousand (\$60,000) dollars: Provided, That ten thousand (\$10,000) dollars of said amount so appropriated shall be used exclusively for "Extension Work," to be expended under the direction of the Board of Trustees for said College. The

Chairman of the Board of Trustees shall report annually to the General Assembly, an itemized statement of all receipts and expenditures and a detailed statement of the affairs of said College.”

Amend at the end of line 41, Section 3, Provided, no page be appointed for less than 25 days.

Amend Section 1 by striking the figures “\$1,200” and inserting “\$1,800.00.” Further amend said clause by adding “\$225.00 be and the same is hereby appropriated to increase the pay the salary of the stenographer of the Attorney-General occurring between August 15, 1909, and January 1st, 1910.”

The following Senate bill was read the first time:

By Mr. Griffith—

A bill to provide for the branding of hermetically sealed oyster cans with the real weight of oyster meat in each can.

Referred to Committee on General Judiciary.

Mr. McDowell, Chairman of the Committee on Public Roads, submitted the following report:

*Mr President:*

Your Committee on Public Roads has had under consideration the following House bill which it in-

structs me to report back with the recommendation that the same do pass, by substitute, as amended:

A bill to regulate the running of automobiles and other motor vehicles on the public roads of the County of Bartow, and for other purposes.

Respectfully submitted,

T. B. McDOWELL, Chairman.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has passed, as amended, by the requisite Constitutional majority, the following bills of the Senate, to-wit:

A bill to provide that the county commissioners of this State shall be elected by a vote of the people.

A bill to transfer the county of Tatnall from the Middle Judicial Circuit to the Atlantic Judicial Circuit.

Also, the House has passed by the requisite Constitutional majority the following bills of the Senate, to-wit:



A bill to amend Section 2059 of Volume 2 of the Code of Georgia of 1895.

A bill to create a new Charter for the town of Lumber City

A bill to amend the Charter of the mayor and council of the City of Shellman.

A bill to amend the Charter of the City of Collins in the county of Tatnall.

A bill to amend the Charter of the City of Waynesboro.

A bill to amend the Act establishing the city court of Baxley in Appling county

A bill to amend the Act establishing the city court of Abbeville in Wilcox county

A bill to preserve to benevolent, humane, social and charitable organizations the right to the exclusive use of the names adopted and used by them.

A bill to amend Section 936 of Volume 1 of the Code of 1895.

A bill to make penal the wilfully and falsely uttering or circulating any defamatory words derogatory to the fair fame of any virtuous unmarried female.

Also, the House has passed by the requisite Con-

stitutional majority the following resolution of the Senate, to-wit:

A resolution providing that officers and enlisted men of this State are permitted to count service performed in the National Guard in other States towards retirement in this State.

Also, the House has concurred in the Senate amendment to the following bill of the House, to-wit:

A bill to amend the Charter of the City of Atlanta.

ATLANTA, GA., August 11, 1909.

The following message was received from His Excellency the Governor, through his Secretary, Mr Blackburn:

*Mr President:*

I am directed by His Excellency the Governor, to deliver to the Senate a sealed communication to which he respectfully invites the consideration of your honorable body in executive session.

The hour of adjournment having arrived the Senate adjourned until 3 p. m. this afternoon.

The Senate met pursuant to adjournment at 3

o'clock p. m. and was called to order by the President.

On motion the roll call was dispensed with.

The following House bills were read third time and put upon their passage:

By Mr. McMichael—

A bill to legalize certain stock law fences in Georgia, and for other purposes.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. Price and Johnson—

A bill to regulate the running of automobiles in the county of Bartow.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority was passed as amended.

By Mr. Hall—

A bill to amend the Charter of the City of Macon.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite Constitutional majority was passed as amended.

By Mr. Alexander—

A resolution directing the purchase of land near Chattanooga for the purpose of increasing terminal facilities of the W & A. R. R.

Report of Committee was agreed to.

Upon the passage of the bill the ayes and nays were ordered and the vote is as follows:

Those voting in the affirmative were Messrs.:

Akin	Johnson	McCollum
Bowen	Jackson	McClure
Burwell	Kemp	Perry
Callaway of 10th	King	Pitts
Callaway of 29th	Longley	Rutherford
Cates	Mays	Slater
Day	Murray	Sellers
Gordy	Mathews	Stevens
Griffith	McLean	Ward of 5th
Harrell	McDowell	Wood
Harben	McWilliams	

Those voting in the negative were Messrs:

McCurry

Patterson

Womble

Those not voting were Messrs:

Blackwell

Irwin

Rudicil

Calhoun

Morris

Ward of 7th

Conley

Price

Mr. President

Ayes, 32; nays, 3.

The resolution having received the requisite Constitutional majority was passed as amended and the amendments are as follows:

Provided, That the Governor, Attorney-General and Treasurer after examination into the matter shall be of the opinion that the purchase of said property will be for the best interest of the State.

The following Senate bills were taken up with House amendments:     •     •

By Mr. McCurry—

A bill to provide that county school commissioners of the several counties of this State shall be elected by a vote of the people. The amendment was concurred in.

By Mr. McCurry—

A bill to make it unlawful to falsely utter or cir-

culate any defamatory words or statements derogatory to the fair fame or reputation of any unmarried woman.

The amendment was concurred in.

By Mr. Helms—

A resolution to pay pension to Mrs. F. E. Morgan of Paulding county, widow of W. H. Morgan.

Report of Committee was agreed to.

Upon the passage of the resolution the ayes and nays were ordered and the vote is as follows:

Those voting in the affirmative were Messrs.:

Akin	Johnson	McClure
Bowen	Jackson	Patterson
Burwell	Kemp	Perry
Blackwell	King	Pitts
Callaway of 10th	Longley	Rutherford
Callaway of 29th	Mays	Slater
Conley	Murray	Sellers
Day	Mathews	Stevens
Gordy	McLean	Ward of 5th
Griffith	McCurry	Womble
Harrell	McWilliams	Wood
Harben	McCollum	

Those not voting were Messrs.:

Calhoun	Cates	Irwin
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Morris  
McDowell

Price  
Rudicil

Ward of 7th  
Mr. President

Ayes, 35; nays 0.

The resolution having received the requisite Constitutional majority was passed.

By Mr. Mathews—

A resolution providing for a joint committee on tax returns and valuations.

This resolution was taken up with House amendment which was concurred in as amended.

The following House bills were read third time and put upon their passage:

By Mr. Minter—

A bill to incorporate the town of Woolsey in the county of Fayette.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. McMahon—

A bill to amend the Act granting a new Charter for the City of Athens.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Barrett—

A bill to authorize the establishment and maintenance of a system of public schools in the town of Martin.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. Porter, Wright, Holder and others

A bill to authorize and empower the Rome & Nor-



thern Railroad to cross the tracks of the W & A. Railroad.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 28, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Johnson—

A bill to forfeit the license of certain insurance companies doing business in this State upon certain conditions.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority was passed as amended.

Amendments are as follows:

By striking the words “by or” in Section 1, line 7

Amended further by striking the words “or shall institute any suit or proceeding against any citizen of this State in any Federal Court” in the 8th and 9th lines of Section 1.

By Mr. Reid

A bill to provide for the regular exchange between Georgia and other States, documents, etc.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

- The bill having received the requisite Constitutional majority was passed.

By Mr. Alexander—

A bill to provide that there shall be two assistant State Librarians in this State and to fix their salaries.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Alexander -

A resolution to authorize the State Librarian to offer a 10 per cent. discount on certain books

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Upshaw—

A bill to fix the amount of solvent assets which mutual aid benefit and industrial life insurance companies shall have and maintain, etc.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Guyton—

A bill to allow common carriers to grant passes to former employees under certain conditions.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 24, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Drawdy—

A bill to amend Section 982 of the Code, so as to add Homerville to the list of State depositories.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 23, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Miller—

A bill to make unlawful the sale of near beer within the limits of the county of Ware.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Hendricks—

A bill to amend the Charter of the City of Tifton.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Anderson—

A bill to delegate to counties, having cities of certain population, full power and authority over sanitation within the county

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. MacFarland—

A bill providing for the detachment of the county of Tatnall from the Middle Judicial Circuit.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. McMichael and Boyd

A bill to reconvey to the City of Griffin certain grounds.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite Constitutional majority was passed. .

By Mr. Guyton—

A bill to amend Section 982, Volume 1 of the Code of Georgia, so as to add the town of Guyton to the lists of State depositories.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. Tippins and MacIntyre—

A bill to amend an Act to provide for the creation and operation of local tax district schools.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority was passed.

Mr. Morris moved that the Senate adjourn. On this motion the ayes and nays were ordered and the vote is as follows:

Those voting in the affirmative were Messrs.:

Akin	Conley	McCurry
Burwell	Day	McCollum
Callaway of 10th	Johnson	Price
Callaway of 29th	Longley	Pitts
Calhoun	Morris	Slater

Those voting in the negative were Messrs:

Bowen	Kemp	Patterson
Cates	King	Perry
Gordy	Murray	Sellers
Griffith	Mathews	Stevens
Harben	McLean	Womble
Jackson	McWilliams	Wood

Those not voting were Messrs:

Blackwell	McDowell	Ward of 5th
Harrell	McClure	Ward of 7th
Irwin	Rutherford	Mr. President
Mays	Rudicil	

Ayes, 15; nays, 18.

The motion was lost.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House has concurred in the following Senate amendments to House Bill No. 417, known as the General Tax Act: Numbers (1), (2), (3), (4), (6), (10), (11-b), (11-c), (14), (15), (17), (18-b), and

The House disagrees to the following Senate amendments to said bill, to-wit: Numbers (7), (8), (9), (11-a), (12), (13), (16), (18-a), (18) and

The House offers to amend the following Senate amendment to said bill, to-wit: Number (5)

Also, the House has adopted the following resolution of the House, to-wit:

A resolution authorizing the Governor to have the interior of hall of House of Representatives refinished, etc.

A resolution in reference to joint Committee appointed for inquiring into the rearrangement of the Judicial Circuits of this State.

Mr. Burwell, Chairman of the Committee on Appropriations, submits the following report:



*Mr President:*

The Committee on Appropriations has had under consideration the following House bill, which I am instructed to report back to the Senate with the recommendation that the same do pass, to-wit:

A bill to put in force the Constitutional amendments ratified at the election in 1908, providing for the payment of pensions to the widows of ex-Confederate soldiers.

Respectfully submitted,

BURWELL, Chairman.

The following resolution was taken up, read third time for the purpose of putting same on its passage.

By Messrs. Jackson and Gordy—

A resolution to ratify the 16th amendment to the Constitution of the United States.

Mr. Burwell moved to table the resolution.

On this motion the ayes and nays were ordered and the vote is as follows:

Those voting in the affirmative were Messrs :

Akin	Johnson	McCurry
Burwell	King	McWilliams
Callaway of 10th	Longley	McCollum
Callaway of 29th	Mays	Price
Calhoun	Morris	Pitts
Day	Mathews	Slater

Those voting in the negative were Messrs.:

Bowen	Kemp	Rutherford
Cates	Murray	Sellers
Gordy	McLean	Stevens
Griffith	McClure	Womble
Harrell	Patterson	Wood
Jackson	Perry	

Those not voting were Messrs:

Blackwell	Irwin	Ward of 5th
Conley	McDowell	Ward of 7th
Harben	Rudieil	Mr. President

Ayes, 18; nays, 17

The motion prevailed.

On motion the Senate adjourned until 8 o'clock to-night.

The Senate met pursuant to adjournment at 8 o'clock; was called to order by the President.

On motion the roll call was dispensed with.

The following message was received from the House, through Mr Boifeuillet, the Clerk thereof:

*Mr President:*

The House disagrees to the Senate amendment to the following bill of the House, to-wit:

A bill to amend the Charter of the City of Macon.

Also, the House concurs in the Senate substitute as amended by amendments Nos. (1), (3), and (4), and disagrees to amendment No. (2) to the substitute for the following bill of the House, to-wit:

A bill to regulate the running of automobiles and other motor vehicles on the public roads of the county of Bartow.

Also, the House concurs in all the amendments of the Senate to the following bill of the House, to-wit:

A bill to make appropriations for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Government, etc.

Also, the House disagrees to the Senate amendments to the following resolution of the House, to-wit:

A resolution directing the purchase of land near Chattanooga in the State of Tennessee for increasing the facilities of the Western and Atlantic Railroad and appropriating the necessary funds therefor.

The following House resolutions were read and adopted:

By Mr. Reid—

A resolution relative to the unfinished business of the present session.

By Mr. Reid—

A resolution relative to the unfinished business of the present session.

By Messrs. Lewis, Baker and Burch—

A resolution appointing a joint Committee inquiring into the arrangement of the Judicial Circuits.

Committee on redistributing the Judicial Circuits of the State: Senators Griffith and McCurry

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House has adopted the following resolution of the House, to-wit:

A resolution calling for a joint Committee to investigate certain charges made against the State Sanitarium.

Also, the House has adopted the following resolution of the Senate, to-wit:

A resolution to provide for the immediate publication of the laws enacted by the General Assembly

Also, the House has passed as amended, by the requisite Constitutional majority, the following bill of the Senate, to-wit:

A bill to amend the Act prescribing the manner, terms and specifications for letting the public printing, so as to provide for letting all the public printing of the State.

Mr. Burwell, Chairman of Committee on Appropriations, submits the following report:

*Mr President:*

Your Committee on Appropriations has had under consideration the following House resolution, which I am instructed to report back to the Senate that same is adopted.

A resolution to pay W L. Williamson \$100.00, and for other purposes.

Respectfully submitted,

BURWELL, Chairman.

The following message was received from the House, through Mr Boifeuillet, the Clerk thereof:

*Mr President:*

The House requests a Conference Committee on House Resolution No. 11, and the following members of the House have been appointed as a Committee on part of the House, to-wit: Messrs. Hall, Calbeck, Alexander, of DeKalb.

The Senate recedes from its amendments to the following bill of the House:

By Messrs. Price and Johnson—

A bill to regulate the automobiles on the public roads of the county of Bartow.

The Senate insists on its amendment to the following resolution of the House:

By Mr. Alexander—

A resolution directing the purchase of certain lands in Chattanooga for a terminal of the W & A. Railroad.

The Senate refuses to recede from the following amendments to the General Tax Act: Amendments Nos. 7, 8, 11, 16.

Senate insists on amendments Nos. 9, 12, 18, 5, 2, 18.

The Senate recedes from its amendment to the following bill:

By Mr. Burwell, by request—

A bill to prescribe the manner and specification of letting the public printing.

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House amends the Senate substitute to the following bill of the House, to-wit:

A bill to authorize the commissioner of pensions to pay the amount due the husband, which is placed on the pension rolls to be paid a pension for the following year, and dies before the 1st of January following, to his widow.

Also, the House has concurred in the Senate amendment to the House amendment to the following resolution of the Senate, to-wit:

A resolution providing for a joint Committee on tax returns and valuations.

Conference Committee on W & A. R. R. bill are:  
Senators Longley, Irwin and Price

The following resolution was read and concurred in.

By Mr. Henderson--

A resolution calling for a joint Committee to investigate certain charges made against the State Sanitarium.

Committee on part of the Senate are: Senators McLean, Longley, Akin, Conley

By Messrs. Alexander, Brown and McElreath—

A resolution authorizing the Governor to have the interior of the Hall of House of Representatives refurnished.

This resolution was concurred in as amended, and the amendments are as follows:

#### HOUSE RESOLUTION:

Amend by adding at end of resolution: "Be it further reserved that the Governor is authorized to have the interior of the Senate Chamber in like manner refinished, and the window shades renewed, and all needful repairs made therein. Also to recarpet



the floor of said Senate Chamber and the rooms appertinent thereto in a manner substantially similar to the original carpeting upon said floors, the expense of all such work and the material therefor to be paid as above designated.

Be it further enacted that if necessary the Governor shall draw upon any other money in the treasury, not otherwise appropriated to pay any part of the expense of the repairs and furnishing herein provided the public building fund is insufficient.

The following Senate bill was taken up with House amendment and the same was concurred in:

By Mr. Burwell—

A bill to amend an Act to prescribe the manner, terms and specifications for letting the public printing, approved August 23, 1879, so as to provide for letting of all the public printing of the State.

The following bills were read third time and put upon their passage:

By Mr. Anderson—

A bill to authorize the municipal authorities of any city having a certain population to establish and

maintain a sanitarium for the care and treatment of tuberculosis.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 26, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Anderson—

A bill to authorize any county having a city of a certain population to lay out, maintain, regulate, etc., a system of drainage, etc

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Anderson—

A bill to amend an Act of August 14, 1908, to authorize the municipal authorities of any city, having a certain population, to establish and maintain

a farm or other place of confinement for persons convicted of minor misdemeanors.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Wright—

A bill to establish the city court of Lumpkin in and for the county of Stewart.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Wright—

A bill to repeal an Act to create a county court in each county of the State of Georgia, so far as the same applies to the county of Stewart.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Rogers—

A bill to prohibit the sale of near beer in the town of Shellman.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite Constitutional majority was therefore passed.

By Mr. Faircloth—

A bill to prohibit the sale of near beer and other similar beverages in the county of Johnson.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite Constitutional majority was therefore passed.

By Mr. Wright—

A bill to amend an Act chartering the town of Lumpkin.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Wright—

A bill to require the Board of Commissioners of Roads and Revenues of Stewart county to pay to the officers of the Superior Court and the City Court of Stewart county a reasonable compensation.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Ford—

A bill to amend an Act amending the Charter of the City of Sylvester.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Ellis—

A bill to amend an Act relating to appropriations to public libraries by the county of Bibb.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 30, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Peacock—

A bill to incorporate the town of Mitchells.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. Moss and Daniel—

A bill to amend the Act to amend, consolidate and supercede the several acts incorporating the town of Austell.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. Hardeman and Holder—

A bill to amend the Charter of the City of Jefferson, so as to provide for a system of electric lights and waterworks.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority was passed.

By Messrs. Tippins and McIntyre—

A bill to create liens for laundrymen, etc.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 29, nays 0.

The bill having received the requisite Constitutional majority was therefore passed.

By Mr. Harrington—

A bill to change the time of holding the Superior Court of Liberty county in the Atlantic Circuit.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority was therefore passed.

By Mr. Ford—

A bill to amend the Charter of the City of Sylvester to extend the corporate limits.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 27, nays 0.

The bill having received the requisite Constitutional majority was passed.



By Mr. Ford—

A bill to amend the Charter of the City of Paulon.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 27,  
nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Harvey

A bill to amend an Act to establish a city court of Abbeville in and for the county of Wilcox.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 27,  
nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Meadows—

A bill to make unlawful the sale of near beer and all imitations of beer in Telfair county

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 27  
nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. White—

A bill to amend, consolidate and supersede the several Acts incorporating the City of Sylvania.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 27,  
nays 0.

The bill having received the requisite Constitutional majority was passed.

By Mr. Harrington—

A resolution to furnish the county of Liberty, for the use of the Ordinary, such volumes of the Georgia Reports as are missing or mutilated.

Report of Committee was agreed to.

Upon the passage of the bill the ayes were 27,  
nays 0.

The bill having received the requisite Constitutional majority was passed.

The following communications were read from the Governor:

August 10, 1909.

*To the General Assembly:*

I have the honor of transmitting to you the accompanying documents for such consideration as you think should be given them.

The first is a report made by a special investigating commission named by Hon. Hoke Smith, my predecessor in office, to inquire into certain charges made against the State Sanitarium.

The second is a reply to this report submitted to the Governor by Judge Thomas G. Lawson, Chairman, on behalf of the Board of Trustees of the State Sanitarium.

The original report, with some supplementary matter, not here included, and complete transcripts of testimony taken by the special commission are on file in the Executive office subject to your will.

Respectfully submitted,

JOSEPH M. BROWN, Governor.

REPORT  
OF THE COMMISSION TO INVESTIGATE  
THE  
GEORGIA STATE SANITARIUM.

---

COMMISSIONERS.

DOCTOR W F WESTMORELAND, Chairman, ATLANTA.

HONORABLE SEATON GRANTLAND, GRIFFIN.

JUDGE W F JENKINS, EATONTON.

JUNE 17, 1909.

REPORT.

*To His Excellency,*

JOSEPH M. BROWN, Governor,

ATLANTA, GEORGIA.

Sir:—

We, Judge W F Jenkins of Eatonton, Seaton Grantland of Griffin, and W F Westmoreland of Atlanta, were appointed as Commissioners by Governor Hoke Smith to investigate certain charges brought against the Georgia State Sanitarium, to investigate and report fully upon the conditions

at the Sanitarium, and to make such suggestions as might occur to us, as the result of these investigations for the betterment of the institution.

The charges referred to us for investigation may be specifically stated as follows:

First. Charges made by Mr. R. E. Dunnington of Augusta, a former inmate of the Sanitarium, and published in the *Jeffersonian* for March and the *Augusta Chronicle* of May 9th, 1909.

These charges may be classified as follows:

1. That the food is inadequate, badly prepared and served. That the patients do not get tobacco furnished them.

2. That patients are teased, abused, unmercifully beaten and made to do rough work.

3. That the attendants are ignorant, rough, brutal, that they tease, choke, beat, throw them to the floor, and otherwise mistreat the patients, as by cursing them, ducking them under water and unnecessarily confining them in the wire guard room. That they have killed several patients.

4. That patients have been permanently injured as the result of this rough handling—specifically, he, Dunnington, himself had a finger broken.

Lingo (Wm. Lingold, Bartow county) tripped up by an attendant and leg broken.

George T. Lawson, Augusta, crippled.

W. B. Brown, Savannah, was struck on head over trephined area and injured.

That in March Mr. Glenn had his leg broken.

M. A. Poole, Hiram, Ga., had his nose broken.

5. That the attendants threaten them, if they try to report any of the occurrences, and that if they are reported to the officials, they are called "illusions," and are not investigated.

6. In the latter part of 1908 some male watchman helped several female patients to escape by cutting the wire out of the window; that the watchman kept them in the basement of a building for a week or two, using them for immoral purposes; that they were found in Milledgeville in a precarious condition. That these men were tried in Milledgeville by a partial jury and found not guilty.

7. An affidavit made by a former female patient alleging that she was criminally assaulted by an asylum employee, and also that another woman inmate was the subject of an assault and a criminal operation.

Second. That charges preferred by Doctor S. W. Arrowood of Atlanta, that the body of Edgar Turner, colored, of Atlanta, who died at the Sanitarium in April, showed evidence of serious injuries; that upon examination he found a fracture on the left side of skull over temporal region, and apparently another over middle frontal region, wounds in both regions, laceration of right hand and fracture of right ring finger. That letters of inquiry to the Sanitarium regarding these injuries and cause of death remained unanswered until an article concerning same appeared in the daily papers.

The Commission held two meetings in Atlanta for the purpose of hearing testimony, and spent four days at the Sanitarium for the purpose of hearing testimony and investigating the conditions of that institution. Four additional days were spent in Atlanta reviewing the voluminous testimony, over five hundred pages, and documentary evidence tendered in this investigation.

Conditions found at the Sanitarium imperatively needing changes are of such vital importance that they will be considered first.

#### TUBERCULOSIS.

The greatest evil, and the greatest menace to the health of the inmates of the Sanitarium, is that of housing tubercular patients with the others.

It is criminal negligence to allow this to continue. The records show that nearly all of these patients are infected after reaching the Sanitarium. 430, or more than one-seventh of the total annual population have died of this disease in the last five years. Within the present year to June first there have been 85 deaths, a proportionate annual mortality of 170.

The Pathologist reports 48.3 per cent, of active tuberculosis from post mortem examinations.

The increase of deaths in the colored male ward from 17 in 1907 to 31 in 1908 is startling, being practically double.

Without radical change, the Sanitarium will become a death trap.

Pavilions have been prepared for a few colored patients; they are improperly built and badly situated and are worse than useless for the purpose intended.

Pavilions and open air treatment should be immediately provided for these patients. There is a standing request for an appropriation for this purpose, but whether granted or not, it is the duty of the Trustees to at once make adequate provision for these patients, and prevent this terrific sacrifice of human life.



## EPILEPTICS, IDIOTS AND FEEBLE-MINDED CHILDREN.

Another pernicious evil is the improper classification or rather assignment of patients. It is obvious that nothing is more likely to prevent and retard the convalescence of these inmates than their association and frequent contact, in which there is neither affinity or community of tastes.

There are now 325 epileptics, 154 idiots and 52 feeble-minded children, scattered through the wards of this institution, 531 patients that have no business in an insane asylum, and that are certain to arouse the resentment of any class of insane.

These mischief-making, trouble-brewing epileptics are simply 325 units of discord, and we are sure that a greater portion of the trouble in wards where they are located is due to them. They tease patients, are irritable, start rows and fights, and in every way prove a nuisance to the others.

There is but one agreed plan of handling these epileptics, that of segregating and colonizing them. There is ample ground at the Sanitarium to start a colony for these unfortunates, and it could be made practically self-supporting. They would be benefited and some cured, where all is now hopeless. They now cost the State \$41,275.00 per year. The authorities have been requesting an appropriation for this purpose since 1905.

That the feeble minded children are confined here is a reflection on the humanity and intelligence of the State, and is a poor business proposition. Under this environment, these children simply increase the number of idiots, which now number 154, plus the 52 children on the way, giving a total of 206 permanent charges upon the State. Their annual cost to the State is \$26,162.00. Some of the idiots have cost the State at least \$5,000.00 each since arriving at the Sanitarium.

A training school for the feeble minded, outside of giving the poor waifs a chance, and its justice to them, would be a paying investment, and could occasionally turn out a good, capable, well trained citizen.

Of this class of patients, epileptics, idiots and feeble-minded children, there are 531, which at the annual cost per capita in 1908 of \$127 amounts to an annual tax of \$67,437.00

In the last annual report we find that 80 colored male patients, working at the "colony," the Sanitarium Farm, made a crop worth \$23,743.93, at an expense of \$7,903.99, leaving a net profit of \$15,839.94.

That 77 white male patients, living at the "Hospital Building" and working the garden, made truck worth \$9,879.16, at an expense of \$5,362.04, net profit of \$4,517.12.

There was raised on the place pork worth \$1,551.60, at an expense of \$5.10, balance in favor of pork \$1,546.30.

The old dairy produced \$6,235.65 at an expense of \$5,597.57, making net \$638.08. The new dairy produced \$5,671.19, at an expense of \$5,628.49, making net \$42.70, or a combined net profit of \$680.78. The dairies were not proportionately as profitable as the other agricultural interests. 1908 seemed to be a bad year, as in 1907 with fewer cows they cleared \$900.08 more.

This report presents the healthy picture of 157 patients working in the open air, as unskilled laborers at manual work, producing agricultural products of a gross value of \$35,174.69, at an expense of \$13,271.13 and a net profit of \$22,584.34.

The dairy products are included, as the report does not show what percentage of patients worked there. The dairy run at a complete loss, would still be worth while, as it would be impossible for the local territory to supply the milk needed.

The physical appearance and the mental condition of the patients engaged in these agricultural pursuits was decidedly the best seen at the Sanitarium, even discounting the fact that they were probably picked men, they present an alert cheerfulness not to be seen in those confined to the build-

ings. So far as could be ascertained, those engaged in outside work of any kind seemed to consider their position a reward of merit.

Your Excellency will pardon this apparent transgression, but as some of the complaints have been in regard to work done by the inmates, it was considered a valuable illustration, to show the practical value of labor on the mental and physical condition of the inmates. The mental and physical deterioration of those kept in confinement is marked even in the mentally and physically well, and is more marked in those mentally afflicted. There is now no remedial measure so well recognized as the value of occupation and employment for those confined in insane asylums; outdoor employment is peculiarly valuable, as an adjuvant in the treatment of epileptics. Most of the complaints were made about using mops, washing clothes, and this class of labor. It would appear that it is the effeminate type of work that the men possibly unconsciously resent, rather than the labor itself.

The scope of labor represented in this institution and the physical needs to supply, will correspond to those of any community of a similar size. So it is quite practical in many instances to place the patients capable of work at their accustomed or kindred occupations, where this work is not contra indicated by their mental attitude toward it.

Occupation also develops in these patients an independent mental attitude toward the world that confinement kills or benumbs.

These patients that are cooped up for varying periods of time, with visible means of restraint, herded together by an attendant or guard, visually seeing the world only through bars, or over high brick walls, confined without anything to occupy their attention, thoughts or hands, with inadequate exercise, are suddenly without preparation thrown into a busy, hustling world on a furlough, is it surprising that they become excitable, lose their mental poise, become shy, are first misunderstood, then shunned, finally driven in on themselves, relapse and are returned to the Asylum. Three-fifths of those sent out of this institution on furloughs are returned.

We recommend that the Trustees immediately take such steps as may be necessary to begin the segregation and colonizing of this class of inmates, and continue same until the segregation is complete.

#### BUILDINGS.

The Commission made a thorough inspection of the buildings, including kitchens, bakery, cold storage plant and laundries.

With the exception of the Hospital and Colony Buildings we were impressed with the immaculate

cleanliness of the buildings of this institution. The two excepted buildings need general overhauling and renovating badly.

There is much defective flooring in the Powell and negro building.

The plastering and metal ceilings are in many places very bad. This rusted metal ceiling should be removed at once, as in many places films of it are constantly dropping. The suggestion that no ceiling should be used, but floors and joists left exposed is not a good one, as it would leave a lot of rough wood work exposed for the collection of dust and dirt, that could not be removed, and thus prove unsanitary.

The suggestion of the administration that shower baths and cement or concrete flooring be installed is an excellent one, and should be carried out. A beginning of these improvements should be made, even if an appropriation for the complete work is not secured.

We are informed that the necessary material for the defective flooring is on hand and necessary repairs will soon be made.

A great deal of the plumbing, closets and baths are in bad shape and unsanitary.

The male convalescent building is a veritable fire trap. Immediate steps should be taken to provide adequate exits.

One of the gravest defects in these buildings is the improper facilities for ventilation. The arrangement of the bars in the windows fastened under the upper sash prevents its being moved, so air can only be admitted by raising the lower sash and this is flush with the patients bed, which in the small rooms are directly by it, so the full volume of air when the lower sash is raised is directly on the occupant. In bad or cold weather this has to be closed, shutting off the only source of ventilation, except the hall transom.

The infirmary room is inadequate, frequently necessitating the acutely sick remaining on the wards. These infirmaries should be screened. We saw two cases, patients with numerous exposed discharged ulcers, literally covered with flies.

#### EXERCISE YARDS.

The majority of the yards are entirely too small for the needs of the patients. Most of them are shadeless, they are surrounded by high brick walls which cuts off the air, making them very hot in summer, and the clay soil makes them muddy and unfit for use in bad weather. These conditions necessitate the confinement of these patients to the wards

many unnecessary days in the year, when they should be at exercise in the fresh air.

Gravel or cinders placed on the yards that are not sodded would make them fit for exercise at any time that it was not raining. Cinders from the boiler room could be used and this improvement made at a nominal expense.

These people are not jail-birds but invalids, and the penitentiary methods of restraint in vogue at this institution belong to a past of chains and shackles. It is absurd that with the immense acreage here, more ample recreation grounds are not provided for these patients.

There is enough money invested in brick and expense of erecting these useless, unsightly, restraining walls, to provide guards and more satisfactory restrictions against escape, that would allow of fresh air and ample liberty, to these poor unfortunates for years to come.

Immediate plans should be provided for the elimination of these walls and the more ample provision of recreation grounds and the introduction of the simpler out-door games and sports for the entertainment of the patients.

#### MEDICAL STAFF

The medical staff now consists of eleven physicians; of these Dr. Jones as superintendent has no



time nor does he perform any medical duties. Doctor Whitaker, medical inspector; official duties should occupy all his time, though he does look after 200 convalescents. Doctor Willettes, the Pathologist's duties leave him no time to care for patients, though he looks after 60. This leaves eight physicians to look after all the patients at the institution.

In 1908 the total number of patients receiving treatment was 4,095. This would give an average of 512 patients to each physician. 947 of these were new patients. Each of these new patients had to receive an individual physical and mental examination, that the case be diagnosed and classified. A half day, frequently a full day or parts of several days, is needed to complete the examination of a case. So far as we are informed this is proportionately a larger charge on the medical staff than occurs in any similar institution in the world.

It is a physical impossibility for these physicians to give the number of patients under their care the proper medical attention. These physicians have other duties as well, such as inspecting and reporting the quantity and quality of the meals served, making reports and writing answers to letters and furnishing written information in regard to any patient under their care. The arduous character of their duties is readily seen.

The enlarging of the medical staff is imperatively demanded.

We recommend as a practical way of relieving this congestion of work, that a junior resident physician for each of the larger buildings be appointed. The value of this is readily seen, the junior resident physician would be at hand for day or night emergencies, he could relieve the senior physicians of the routine work, thus allowing the senior physicians more time for the study and investigation of the new or different cases.

In addition, the resident physician being on the spot, would act as a restraining influence on attendants prone to neglect their duties, or who tease, worry or mistreat their patients.

We can't too greatly emphasize the value of this innovation.

#### ATTENDANTS.

In the male department, where most of the reported cases of mistreatment have occurred, they have several grades of attendants; first, a supervisor, assisted by two assistant supervisors, who have control of and direct in the performances of their duties the attendants and assistant attendants, and who report any dereliction of duty on their part to the superintendent. The supervisor is also a general inspector of the buildings, has the care of the wards and rooms, sees that patients are properly

bathed and clothed, that patients, are properly employed, without coercion. In other words he is the general medium of communication between patients, attendants and officers. The supervisor has charge of about 100 employees.

This is one of the most important positions in this institution, one that requires an active, alert man, with plenty of judgment and executive ability to perform these manifold duties.

To our surprise we found this position filled by a man over 80 years old, long superannuated and confined to his house. Dr. Jones informed us that he still had charge of the buildings and received reports.

We can not too strongly condemn the filling of such an important post by a man of that kind and the authorities are derelict in their duty in doing so. Length of service is no excuse; the reward for long service should be pension or change to some position within their capacity to fill. Such precedent is dangerous and should have no place in public institutions.

There is practically one hundred attendants in the male buildings; with few exceptions the class of men filling these positions are not satisfactory. The fact that twenty per cent. of the attendants have been discharged within two years for cause, speaks more

emphatically of the unsatisfactory type of men employed than written words.

Within the last two years there were discharged for mistreatment of patients, six; neglect of duty, three; stealing, three; insubordination, three; drinking, three; drinking and fighting, two. Most of these, such as drinking, are only discharged for the second offense, so this would present quite an array of offenses committed during this time.

On examination under oath these men appeared absolutely unfamiliar with the rules, and appeared to perform their duties as a matter of routine, and did things because they saw some one else do them. On the witness stand they were untruthful and in the whole first day's examination there was not a man but that swore that he had never seen a patient mistreated, or any rules violated, this even when they were present in the wards where offenses were committed as afterwards proved. Some of these men, though on duty, were drinking. One of them was intoxicated, during the investigation, while giving testimony.

The compensation paid the attendants is not sufficient to attract the class of men with the proper qualities for these positions. As we consider the class of attendants employed responsible for much of the trouble occurring in the wards, we recommend that the Trustees increase the salaries to a point of

attracting a better class of employees. False economy practiced at the expense of securing proper attendants is a vital wrong. We consider the fitness and capability of the attendant is of no less importance than that of the attending physician.

### Food.

The character of the food is good and the quality, quantity and variety is sufficient for the needs of any one. The bread is as good as you will find in any first-class bakery. The meat, while not prime beef, is excellent in quality. Being boiled, as is necessary to prepare it in such large quantities, it is not as savory to looks or palate as it would be if roasted or broiled, but it is good and wholesome. The per capita allowance of food stuffs, meat, milk, butter, lard, potatoes and vegetables is based upon the usual rules governing the food supply of similar institutions.

We can see no reason for complaint in this regard.

The basic wrong at the asylum is due to the small appropriation they receive from the State. Experience has proven that with so small an amount competent care cannot be given this class of patients and an institution with only thirty-four to thirty-five cents per capita a day can be considered as a place of detention and not of cure.

This question has been tried out in many asylums and fifty cents per capita, per diem, has been found to be the least amount that anything like proper care of this class of patients can be had for

The Legislature is too apt to view with alarm the rapidly growing aggregate necessary to care for the sanitarium, other than the small average amount expended on each patient.

We attach a list giving the average daily cost per capita of most of the public institutions in this country. Its perusal will prove interesting in this connection, as with one exception Georgia's sanitarium is the smallest on the list.

This is an improper point of view, for the State owes it to humanity no less to itself, to make proper provision for these unfortunates, and to improve the condition at this institution established for the benefit of a class who are literally powerless for their own protection.

The State should look toward the future in providing equipment for this plant. In this way considerable amounts could be saved. For instance, there are now needed eight separate boiler plants, with crew, run at an annual cost of \$30,174.00 and the electricity for lighting purposes purchased outside. It has occurred to the committee that a large central boiler plant could furnish all the buildings

and the needed electricity as well, at a decided saving each year. We attach the engineer's report.

Pratically all the patients that leave the asylum do so on three months furlough; after three months the jurisdiction of the sanitarium authorities ceases by law. In fact this law releases any one who remains away from the asylum three months, no matter how they have left it, whether as an escape or on furlough. After three months patients can not be returned to the asylum except by a new commitment trial.

The Commission is satisfied that the Sanitarium authorities exercise this prerogative too liberally, and send out patients who are not cured. Our information from these authorities is that over three-fifths of those released on furlough are returned.

Instances of these furloughed people causing trouble, sometimes dangerous to themselves or others, is so frequent that we recommend that these releases be limited to those who present evidence of permanent cure.

The result of the investigation of the charges preferred by Mr. Dunnington and Doctor Arrowood is as follows:—

#### DUNNINGTON CHARGES.

On June 15th Mr Dunnington appeared before the Commission and presented his evidence. The

Commission decided that in justice to all, Mr. Dunnington had best appear before the Commission at its meeting at the Sanitarium. This he did on June 18th.

At these meetings the Sanitarium was represented by Judge Richard Johnson.

Mr. Dunnington preferred charges as published in the Jeffersonian and the Augusta Chronicle. The evidence given in this case is presented in full with this report. For convenience the Commission has classified these charges into seven sections, before mentioned.

Charges contained in Sections 1, 2, 3, and 5 are practically covered in the first part of this report.

Charges contained in section 4 that patients have been permanently injured and as the result of this rough handling we find to be as follows:

William Lingold, of Bartow county, identified as the "Lingo" in Dunnington's testimony, a patient of T hall, was tripped up by an attendant named Dennis, which resulted in breaking Lingold's leg; Dennis, the attendant, claimed to have tripped him up in fun. Dennis was discharged by the Superintendent. The testimony in full on this subject will be found on pages 135 to 140 of the evidence.



The investigation showed the injury to George T. Lawson, of Augusta, to have occurred in the following manner

He was carrying a bundle of clothing, which he claimed was too heavy, down stairs. His own statement is as follows:

“I carried the bundle, started to go down, and hurt my hip.”

Q. Did you fall? A. No, sir, just twisted.

Q. Did you dislocate your hip? A. Yes, sir. I was going down another day and fell.

Q. You don't know whether you dislocated your hip when you fell, or not, you only know it was dislocated after it. A. I think I did it before that.

Q. How far did you fall? A. Over on the steps.

Q. Did you roll down? A. No, sir, up against the wall.

Q. How long were you in bed after that? A. I don't know, sir, I think three or four or five months.

Q. Ever since you have been on crutches? A. Yes, sir

On further examination he says:

Q. I understand that the injury to your thigh or hip was from falling down the stairway? A. That is an infamous falsehood.

Q. I thought you said that? A. No, sir, I was carrying that bundle down there.

Q. You did fall on the stairway when you had the bundle on your arm or shoulder? A. Yes, sir, I came down under my bruden like any other animal or beast of burden.

The testimony of Mr. George T. Lawson will be found in full on pages 117 to 135 of the evidence.

The testimony in the case of W. B. Brown, of Savannah, is as follows:

Mr. Brown claims to have been struck over a trephined area, by an attendant named Cook, and very badly hurt. None of the authorities at the institution had heard of this injury until it was published in Dunnington's charges. Cook, the attendant, involved in this statement, was discharged some time ago for stealing. The testimony in regard to Mr. Brown's case will be found on pages 140 to 144 of the evidence.

In the charges it is claimed that Mr. Glenn, of Atlanta, had his leg broken in March. The testimony shows that Mr. Glenn died in January. He had never been in the Green Building, which is also

known as the Female Convalescent Building, as alleged. The testimony further shows that Mr. Glenn was a paralytic, his arms and legs both being paralyzed on one side. After he became partially paralyzed he was carried around in a roller chair. The evidence seems to show that he was never crippled in any way by an injury.

The testimony in regard to Mr. Glenn will be found on Pages 295 and 296 of the evidence.

The case of Mr. M. A. Poole, of Hiram, Georgia, charges that his nose was broken in a fight with A. J. Hawkins, an attendant. Mr. Poole having been discharged from the institution it was not possible to secure his testimony. Examination of A. J. Hawkins, attendant, in regard to this circumstance, will be found on pages 308 to 319 of the evidence. Mr. Hawkins gave his testimony in a very unsatisfactory and evasive manner, making a decidedly bad impression on the minds of the Commission as to his fitness to serve as an attendant.

Charges contained in section 6 that in the latter part of 1908 some male watchmen helped several female patients to escape by cutting the wire out of the window; that the watchmen kept them in the basement of a building for a week or two, using them for immoral purposes; that they were found in Milledgeville in a precarious condition. That these men were tried in Milledgeville by a partial jury and found not guilty, we find as follows:

On the 15th of last August one of the yard night watchmen and a helper, cut the wires from the window of one of the rooms in the Recreation Hall and assisted two female patients in escaping from the Green Building. They carried these women to the basement of the Male Convalescent Building, where they kept them until Sunday night, August 16th. On Sunday night they were located in Milledgeville, where they had gone to take a train. The fact that some of their garments were found in the basement of the building, and that though they were separated from each other they confessed to practically the same story, giving the names of the parties.

These men were first indicted and tried in the Superior Court, the men being prosecuted by the Solicitor-General of the Circuit. The trial in the Superior Court resulted in a mistrial. It was at the request of Doctor Jones, Superintendent, that these cases in the first instance were not transferred to the county court. They were tried a second time before the county court where they were dismissed. Doctor Jones states that he made every effort to convict these men, because he thought they were guilty. There did not seem to be any question of their guilt, but the jury seemed to be unwilling to convict these men, on the patients' testimony. The testimony in regard to this case will be found on pages 452 to 458 of the evidence.

Charges contained in section 7 that an affidavit made by a former female patient, alleging that she

was criminally assaulted by an asylum employee, and also that another woman inmate was the subject of an assault and a criminal operation, we find as follows:

For obvious reasons the names of any of the parties in the affidavit referred to, under the circumstances, are withheld. An investigation of the charges shows that the statements contained in the affidavit, in both cases, were not only untrue, but, as a matter of fact, as sustained by the testimony, were physically impossible. The testimony in this case will be found on pages 10 to 70 of the evidence.

The officials of the Sanitarium introduced testimony bearing on the credibility of Dennington's statements, and further that he was in innumerable rows and fights, where he was in the wrong, not mentioned by him. Also a letter was introduced from one of his relatives, showing Dunnington's present mental condition, which is as follows:—

DR. L. M. JONES, SUPT.,

Milledgeville, Ga.

Dear Sir:—

I have recently noticed a published interview of my brother R. E. Dunnington, who has been until recently an inmate in the State Sanitarium, I also notice in today's paper an interview as coming from

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you which states that he is out on furlough and is due to return June 11th. I wish to state most positively that he is not now in any condition to be left at large, he has already had trouble with one of my neighbors and I am constantly in dread for the safety of myself and family, and my father and mother are both living in dread that he will do them boldily harm and yet they are afraid to say anything to him. Before going to the asylum, he threatened my life and undertook to carry his threats into execution by standing in front of my house with a shotgun waiting for about a half an hour for me to come out. I do not want to have to defend myself against him, but unless he is removed from the neighborhood, I fear that something dreadful will happen. I am writing you this letter in the strictest confidence and under no circumstances is it to be made public. With information contained in this letter if you cannot take steps necessary to have him returned to the asylum, I beg to let it drop for if he should know that I had done anything to have him returned, he would certainly undertake to do me harm.

Yours very truly,

(Signed) W. F. DUNNINGTON.

Arlington Bros. & Co.

Identified C. B. W

## TURNER CHARGES.

That charges contained in Section Second, that charges preferred by Dr. S. W. Arrowood, of Atlanta, that the body of Edgar Turner, colored, of Atlanta, who died at the Sanitarium in April, showed evidence of serious injuries; that upon examination be found a fracture of the left side of the skull, over the temporal region, and apparently another over the frontal region, wounds in both regions—laceration of right hand and fracture of right ring finger; that letters of inquiry to the Sanitarium regarding these injuries and cause of death remained unanswered until an article concerning same appeared in the daily papers, we find as follows:

Dr. Arrowood, of Atlanta, appeared before the Commission in Atlanta, on May 31st and made the following statement:—

“I have treated Edgar Turner for some time for specific disease. He apparently recovered physically, though he grew worse mentally—was very violent and wild.

“Was adjudged insane and committed to Asylum March 20th, 1909. April 7th, 1909, his wife received a letter from the Asylum stating that Turner could not live but a short time.

“April 10th they wired that he was dead, whether to bury there or send body to Atlanta. Body reached Atlanta in a day or two.

“I examined patient. Turner had a fracture on left side of skull over temporal region, and apparently another over the middle frontal region,—wounds in both regions. Was scalded over left shoulder. Lacerations of right hand and fingers. Fracture of right ring finger.

“Letters of inquiry to the Asylum regarding these injuries and cause of death remained unanswered until the article concerning same appeared in the daily papers.”

In the investigation of the Turner case the Commission decided that it would be necessary, in order to get at the facts, to have a post mortem held in this case. At the request of the Commission the body of Edgar Turner was autopsied on June 12th at Park view Cemetery by Doctor J. Edgar Paullin, an expert pathologist. This examination was made in the presence of several witnesses, including Doctor W F Westmoreland. Doctor S. W Arrowood was invited to be present but was out of the city. The report of Doctor Paullin was as follows:—

DR. W F WESTMORELAND,

CITY

My dear Doctor:

On June 11th, at 4:45 p. m. I autopsied the body of one Edgar Turner, colored, at Park View Ceme-



tery I wish to say that this body was examined particularly for the presence or absence of fractures. On the left parietal region there were two skin incisions, one about  $1\frac{1}{2}$  cm in length, the other about 2 cm in length, these were covered by adhesive plaster. The entire skull was freed from skin and periosteum for that the bone could be clearly seen through its entire area; this was everywhere intact and apparently perfectly normal. There was absolutely no evidence of any discoloration from old blood clots or extravasation of blood. The skull was then opened by sawing through the frontal, parietal and occipital bones. The dura was stripped from the the inner wall of the cranium in order to examine the base of the skull. There was absolutely no evidence in this situation of any fracture. The next investigation were directed at the metacarpal bones and phalanges of both hands; the skin and overlying tissues were freed from each of these bones in order that they might be more clearly seen. These failed to show the slightest evidence of a fracture or contusion.

I wish to say in closing that the body, despite the fact of the length of time since burial, was in very good condition for the investigation of these particular points.

Respectfully submitted,

(Signed) J. Edgar Paullin.

Identified C. B. W

The Commission is satisfied that there is absolutely no ground for Dr Arrowood's charges. The officials of the Sanitarium introduced testimony in the form of letters bearing upon the general character of Dr Arrowood, copies of which letters will be found attached to the documentary evidence. Testimony in regard to the Turner case will be found in full on pages 1 to 10 of the evidence.

In closing this report we wish to emphasize several points.

First.—The position of Supervisor is, next to the medical staff, the most important. We understand that Mr. Jackson, former Supervisor, is dead. It naturally occurs to us that one of the assistant Supervisors might be promoted to the vacancy. Certainly neither of the assistant Supervisors appearing before the Commission, were in any way suitable for this position.

Second.—We would recommend that the books of the institution be annually audited by an official of an auditing company, and closed at the end of each fiscal year. A more modern plan of book-keeping should be instituted.

Third.—Tuberculosis is the great danger to the health of this institution. In looking over the reports we find that this condition was recognized by the authorities and that in 1906 they requested an appropriation of \$15,000.00. We also find that they

had on hand a balance of \$9,917.55, "with which to guard against any emergency which may arise," the words of the report. It appears to us that no greater emergency can or will ever arise than the care of these people. There were 128 deaths from tuberculosis that year. These are deaths from an infectious, preventable disease. These deaths should be charged to the authorities of this institution, for with proper care they could prevent them. Since 1906 there have been expensive improvements made, such as a New Dairy. Money spent in this way could have provided for these people and prevented this rapidly increasing disease and the accompanying high death rate. A just criticism of the management of the institution, in that money is spent without proper idea of value. In this relation they will put three silos against, say, fifty preventable deaths, then decide for the silos. Such decisions are tinged with inhumanity.

They ask for an appropriation for the correction of a recognized evil, then take no steps for its correction year after year, unless they get it. With the working forces and material on hand at this institution, and with proper management, these tubercular cases could be provided for within a month.

This institution needs an initiative to break loose and recognize the proper proportion of values. They are drifting into a rut and need digging out. This Sleepy Hollow needs waking up and should

be forced to keep up with modern progress. This institution needs a modern, progressive, scientific, executive head, with the ability to take the initiative, and who fears not to do so.

Respectfully submitted,

(Signed) W F WESTMORELAND, Chairman.

(Signed) SEATON GRANTLAND.

Practically every complaint brought, in any way, to our attention, in which there seemed to be any merit, related to the conduct of the attendants. The compensation paid to this class of employees is smaller than it should be, and this fact has resulted in the employment of some persons unfit to discharge the highly important duties pertaining to the position. The fact, however, that the authorities have discharged, for cause, such a large percentage of these employees is strongly indicative of a commendable determination to rid the institution of unworthy persons. In my opinion the well being of the institution depends, in a large measure, upon the strict performance of their duties. They, in a sense, are actively in charge of the various wards. Dereliction of duty upon their part must necessarily result in harm to patients. To avoid this, it should be the special and sole duty of someone to keep watch on these attendants, and to report all infractions of non-observance of the rules.

The patients themselves, or very many of them, are incapable of making their grievances known to the higher authorities. Instead of relying, as at present, mainly upon the supervisor who has various other duties, I think that a special supervisor should be provided, whose sole duty should be to initiate and prosecute charges against delinquent attendants who naturally conceal their own misdeeds and short comings, this being in the very nature of things, in many cases, easily done. A rigid watch over the attendants would result in great good to the inmates and be worth many times its cost to the State. The absence of some special method of reaching and dealing with delinquent attendants, I consider the greatest defect, by far, existing at the Sanitarium. This special supervisor should be selected with the utmost care and with reference to his peculiar fitness for his work. He should be a man of high character and capacity, and should receive not less than \$100.00 per month as compensation.

I desire specially to concur in the recommendation contained in the report that the tubercular and epileptic patients be segregated as early as possible. The Trustees of the Sanitarium have several times earnestly urged the providing of means to accomplish this end. Humanity demands that this be done. If the condition of the State treasury will not authorize such an appropriation as the trustees think necessary to remedy the existing evil as to these classes of patients, then I suggest that plain,

rough platforms be erected at some locality on the State's property, and that a suitable tent and fly be put on each platform for the use of the tubercular patients. Such platforms and tents, with a high wire enclosure, I believe would, for quite a while at least, meet all demands and would probably be as useful and beneficial as an expensive building affording less ventilation and fresh air. If this can not be done, then some other available means of segregation should be resorted to.

Respectfully submitted,

(Signed) W. F. JENKINS.

#### SUPPLEMENTAL REPORT.

Inasmuch as a great deal of the investigation by the Commission related to the conduct of the attendants at the Sanitarium, I think it well and proper to say that the nurses (female employees in the buildings for women, corresponding to male employees in the buildings for men, known as attendants) seem to be performing their duties satisfactorily and well. No complaint whatever against any nurse now in the service of the institution was brought to our attention.

I will add that I heartily agree with the authorities of the Institution in the wisdom of erecting and equipping the new dairy. It is commodious, modern and up-to-date. By this means the supply of

milk for the use of inmates should be greatly increased. At present the supply of this valuable article of diet is short. Nothing in the way of diet can be of more benefit in the treatment of the sick and feeble, than milk.

Respectfully submitted,

(Signed) W F JENKINS.

THE REPLY OF THE TRUSTEES OF THE STATE SANITARIUM TO THE REPORT OF THE INVESTIGATING COMMISSION APPOINTED BY GOVERNOR SMITH.

Through the courtesy of Governor Joseph M. Brown, the Trustees of the State Sanitarium are permitted to make the following reply to such parts of the report of Messrs. Westmoreland and Grantland, Commissioners recently employed in the investigation of the management of the Sanitarium, as they deem it proper to notice.

These observations are not intended to be so much a criticism upon the report as a correction of the errors which gentlemen unfamiliar with the Institution and its management, are liable in such a limited investigation to commit.

The reply will follow the order observed in the report.

The first impression made upon the minds of the Trustees is that these two Commissioners after reading the false and libelous charges so vociferously promulgated against the officers of the Sanitarium, naturally became infected with the suspicion that something seriously wrong was permitted to go on there, and that having inspected the Sanitarium, and having heard all the evidence pro and con bearing on the charges, and failing to find the wrongs they expected to exist, they yet could not entirely divest themselves of the suspicion previously engendered. Their impression is based on the following considerations:

1st. The Commissioners nowhere allude to the fact that their investigation was instituted at the request of the Superintendent and his Medical Staff. They leave it to be inferred that their investigation was initiated and conducted without the consent or co-operation of the persons accused of misconduct, and fail to give them credit for the courage of conscious innocence in demanding it.

2nd. They seem to have originally intended to conduct the investigation in the absence of the persons accused, inasmuch as they held an autopsy upon the remains of the negro, Turner, and proceeded for two days to hear evidence preferred against the officers in the absence of, and without any notice whatever, to these officers of their purpose to begin the investigation.



True they afterwards came to the Institution, and were as liberal as they could be in hearing the evidence on both sides. Perhaps the advice of the able lawyer and jurist who made one of their number and who does not join in this report induced them to reconsider their purpose.

3rd. While they recommended certain reforms at the Sanitarium, and denounce as "Criminal Neglect" the conduct of the Trustees in case they fail to inaugurate them, they do not specifically and distinctly state, but only obscurely and with seeming reluctance admit, that the Superintendent and Trustees have, year after year, pleaded with the General Assembly of the State for money to inaugurate these very reforms that they recommend.

With more than 3,000 persons of all classes and conditions, including some of the most intractable specimens of humanity, involuntarily confined in the Institution, and day by day revolting against its restraints, and with none but persons of common human feelings and passions to attend, control and care for them, no sane person can expect anything else than that some abuses should occasionally occur. In the very nature of things it is impossible that ideal conditions should be maintained. If attendants could be secured who would without emotion, resentment, or passion permit the patients to spit in their faces, pull their hair, tear their clothing off them, and assault and perhaps kill them, there might

occur no instance of maltreatment of patients. But such a class of attendants would be worthless if we had them. Only men of virile feelings and principles, tempered with patience and sympathy, and an ever-present consciousness that the patients are wholly irresponsible for acts of violence and turbulence, can perform the duties which their positions require. Lunatics have to be restrained for their own good, and for the security of others; yet restrained with a gentle hand, and the duties of the attendants are in some respects more obnoxious than menial service. They are indeed revolting, and sometimes loathsome, and the marvel is that self-respecting men can be employed to perform them at any wage.

The certainty that their livelihood is always assured despite financial panics, short crops, low prices, and all other troubles is perhaps the only inducement they have to engage in such a distasteful occupation. Asylums can not be conducted on the speculations of theorists and idealists, and experience in the city hospitals where sane people, few in number by comparison, are treated, furnish no criteria for the treatment of the insane.

#### ERRORS IN REPORT.

1st. They report that the deaths of tuberculous patients for the past five years were one in seven of the annual number of patients. This statement is wide of the mark. During the last five years

there were treated in the Sanitarium 7,320 patients, of whom 539 died of tuberculosis—a ratio of 1 to 13 $\frac{1}{2}$ , and not of 1 to 7

During the year of 1908 there were 4,095 patients treated, of whom 91 died of tuberculosis; a ratio of 1 to 45. Of the white patients, among whom this disease is less speedily fatal than among the negro patients, the ratio was 1 to 105.

2nd. They report that the records of the Sanitarium show that nearly all of the tuberculous patients were infected after reaching the Sanitarium. The Trustees submit that the records properly interpreted *can not* show such facts. They are informed by high medical authority that it is impossible to tell in every instance when a person is infected with the disease; that the germs of the disease may lurk in the system for a year or more before they manifest themselves.

3rd. They report that there were 48.3 per cent. of active tuberculosis from post mortem examinations. This is true of the year 1906. Post mortem examinations are held only upon unclaimed bodies of negroes, and in 1908 the per cent. of active tuberculosis was 37.83, an improvement of 10.47 per cent. But what does this prove?

4th. They report that the pavilions for the negro patients are “worse than useless for the purposes intended.” The Trustees think that their defects

ought to have been pointed out when the Commissioners were on the ground so that they could have been corrected if their suggestions were thought wise and feasible.

These pavilions were built under the supervision of the late Dr. Powell, Superintendent. He ranked with the leaders of the medical profession of the United States in his expert knowledge of mental diseases, and for unexcelled philanthropy in the treatment of the insane. We have on the Board of Trustees the only specialist in Georgia that we know of, save the Medical Staff here, in the treatment of mental and nervous diseases. He thinks that these pavilions are of great benefit, also think the Medical Staff. So far as we know neither of these Commissioners ever had any experience in the treatment of the insane. One is a great surgeon and the other a prosperous man of affairs. Under these circumstances we can not accept the bald ipse dixit of these gentlemen in preference to the judgment of the able men above referred to.

5th. These Commissioners would have dealt more kindly with the officials of the Sanitarium if they had reported what is true; namely, that the Trustees have appeared before the General Assembly annually for several years and earnestly pleaded for money sufficient to build four houses for the segregation of the tuberculous patients. They have furnished us no more light on this subject than we have had for years past.

Neither have they given us any light on the subject of epileptics, idiots, and feeble-minded children. If they had omitted all statements of their own and had transferred to their report selections from the annual report of the Superintendent and the Trustees for some years past it would have lost nothing of its clearness and force.

What they say of the employment of the patients and usual occupations accords with our own observation. They have been thus employed at the Sanitarium for several years. Let it be remembered, however, that they can not be coerced to engage in these occupations. What they do, they do voluntarily. If they refuse to work, and many of them do, that is the end of it.

#### REPAIRS ON BUILDINGS.

The report may convey to some reader the erroneous impression that the buildings are neglected. A corps of carpenters, plumbers and tinnerns, contracted with by the year, are constantly engaged under the supervision of the engineer, in the work of repairing, renovating and renewing. We can not overtake the work, and never expect to overtake it, until we are furnished with money sufficient to employ a larger number of mechanics. As evidence of the enormous amount of work required for repairing we will state, in part, the number and character of buildings here—some of them being very old. On the Sanitarium grounds proper there are 14 large

brick buildings, 3 and 4 stories high, with tin and slate roofs, and containing 17 acres of floor space; there are 14 wooden cottages, 3 to 6 rooms, shingle roofs; there are two water plants, pumps, boilers, a steam laundry, workshop, gas plant, ice plant, barns and stables, 2 large dairies and 16 steam boilers from 25 to 156 horsepower. Besides these there are 32 miles of water, sewer and gas pipes, and about or quite 2 miles of electric wire. At the Colony or Sanitarium Farm, there are 2 cottages, 3 and 4 rooms, and 5 buildings for patients; 2 large two-story barns, 2 corn cribs, a grist mill, water plant, and gas plant. These are the principal subjects; it is impossible to enumerate everything, such as house furnishings, etc., that is constantly undergoing deterioration and destruction by patients. It is evident, therefore, that a large force of mechanics is required in this work, and that it is not remarkable that the need of repairs is always advancing as fast as the work can be done, and can never be overtaken until we are able to employ a large force of mechanics.

#### EXERCISE YARDS.

When these Trustees came into office they found the buildings and grounds in shape and size just as they are. The walls do, in a measure, obstruct winds. The winds, however, do come in over them, and the yards, having no roofs over them, do furnish an abundance of fresh air. They are not shadeless as the report states; only one of them is so, and that because it is appurtenant to new buildings, and the

trees transplanted in them are not old enough to produce shade. If the walks were paved with marble instead of with cinders, as they recommend, it would not be wise to allow the patients to use them in rainy weather, because they would sit and lie upon the wet grass and ground, and be liable to contract fatal diseases. The walls are nearly two miles long; are twelve feet high and one foot thick, and are indispensable to the safekeeping and privacy of the patients. A wire enclosure would ensure their safe-keeping, but not privacy; it would answer for a penitentiary where sane people are confined, but not for an asylum for the insane. The Sanitarium is a public institution; it is visited daily, except Sundays, by people from every part of the State, and occasionally from other States, and sometimes from foreign lands; there are public roads through the grounds, and a railway station very near two of these yards; laborers employed here, and convalescing patients are constantly passing to and fro over the grounds. Under these circumstances it would be impossible without walls to preserve the privacy of the patients who use the recreation yards. Many of them, perhaps all of them at intervals, are totally deprived of reason; they can not appreciate the virtues of modesty and decency, and are sometimes reckless in exposing their persons—even to nudity. Any one can imagine what would occur if such patients were confined in wire enclosures. The retention of the walls can not therefore be consid-

ered from any rational point of view as a "penitentiary method of restraint."

#### ATTENDANTS.

They may be considered in relation to their duties as nurses for the male patients. The Medical Staff think that their deficiencies and delinquencies were very much overstated in this report. That "on the witness stand they were untruthful" does not seem credible to those who know them well. They may have been reluctant, embarrassed, nervous and perplexed by numerous questions, but that they were all guilty of intentional false-swearing would be a remarkable phenomenon. They are as fine a class of men as can be secured at the wage which the annual appropriations to the Sanitarium authorize us to pay. Their wage is \$2.00 per month. We realize that this wage is inadequate for the services required of them, for during their hours of service they are confined just as the patients are, and the service required of them is onerous, repulsive and dangerous. They are also, under the rules of the Institution, subject to be discharged if they speak harshly to, or commit unnecessary violence upon, a patient. This is a hard rule to observe when it is remembered that all maniacal and refractory patients have to be put under restraint, which they resist with all their might, rising in the ecstasy of their paroxysms to superhuman strength, and that the attendant is often the victim of violent assaults on the part of the patients.



## MISTREATMENT OF PATIENTS.

The records of the Sanitarium show that within the last two years six attendants have been discharged for the above offense. This fact is a sufficient refutation of the false assertion (not in the report) that the officials of the Sanitarium tolerate and condone offenses of this character. In one of these instances it was shown that the attendant and patient (Lingold) were engaged in sport, and that the hurt was accidental and unintentional. The evidence before the Commission shows without the shadow of a doubt that the grave charge made by Dr Arrowood was not only false, but that there was nothing even of a plausible character upon which it could be founded. It was a wholly gratuitous slander. It was shown by incontrovertable proof, and by witnesses of the highest character before the Commission (though the report merely hints at it), that Dunnington who made a series of false charges against the Institution was a lunatic, a degenerate, and a most turbulent and troublesome patient while in the Sanitarium, and that he not only promulgated atrocious falsehoods against the Institution himself, but that he induced and persuaded a female witness to do the same. Whether Lawson's statement is true or not it is impossible to say. No one seems to have witnessed the hurt he received, and by indisputable evidence it was shown that at times he manifested an extraordinary case of dementia, and that he was accustomed to abuse and hurt himself. To say the least of it, his statement is exceedingly doubt-

ful. In the case of Pool it was shown (though the report is silent on the subject) that the attendant did not break his nose, but on the contrary Pool broke the attendant's nose- the scar on the nose being exhibited. From the evidence in this case the Commissioners come to the conclusion that Hawkins, the alleged offender, is unfit to serve as an attendant. On the other hand he is one of the oldest attendants in the Institution, and is thought by the Superintendent and others to be one of the most efficient and trustworthy

The charges of Arrowood and Dunnington are the sole causes of the appointment of the Commission, and of the prosecution of this investigation. The charges of Arrowood are shown to be false in toto, and the charges of Dunnington were shown to be false in every essential particular. All the charges made by them were made for the malignant purpose of bringing officers of the Sanitarium into disrepute, and to produce the impression that they were brutal in character and habits, and altogether indifferent to the welfare of the patients under their care, and yet it is upon the bare statements of such irresponsible creatures as these that certain newspaper editors in this State, in their pruriency for something sensational, careless of whether it be false or true, and heedless of the unhappiness and anxiety which the publication of such stuff may create in the minds of those who have relatives in this Institution, and who have no means of knowing whether such stuff

be true, publish and circulate throughout the State the most reckless, libelous and damaging articles against the State's most noble charity

That a few instances of misconduct occur is unavoidable; that many more do not occur is marvelous. There is not a scintilla of proof offered to show that the Superintendent or any one of his Medical Staff was negligent or derelict in the discharge of his duty

The censure of the Commission falls upon the Trustees only, and this is true, we presume, because the Commissioners have no experience in the management of such an institution.

We now come to the concluding paragraph of the report.

The report suggests that the books at the Sanitarium be annually audited by an auditing company. There is no objection to that. But lest someone may infer that there is something wrong with the books we will state that they are carefully audited, item by item, every thirty days by five gentlemen of the Board of Trustees who constitute the Executive and Finance Committees of the Board. The claims against the Institution are audited and approved before they are paid, and after they are paid they are again audited. All purchases, except of produce brought in from the country around, are made from samples furnished by competitive bidders. The

lowest bids, considering the quality of samples, are invariably accepted. The samples accompanying the accepted bids are preserved, and if the goods afterwards furnished do not correspond in quality with the samples they are rejected. The monies of the Sanitarium are kept by its treasurer in one of the Milledgeville banks. He makes a report to the Finance Committee every 30 days of the status of the funds, supported by the oath of either the president or cashier of the bank, showing the balance in the bank to the credit of the Institution. The treasurer and steward furnish bonds of a solvent surety company for a sum in excess of any that they ever have in hand at one time. The steward has held this office for twenty years; all payments, except for country produce mentioned, are made by him in checks upon the treasurer, and during these many years he has handled his books with such absolute accuracy that no error exceeding 25 cents, and that against himself, has ever been found.

As before stated, the Commission having found nothing but what was to be reasonably expected in the management of the Institution on the part of its officers and subordinates, turn their attention to the trustees. They virtually assert that a balance of \$9,917.55 which was left over from the year 1906 should have been used for the erection of houses for tuberculous patients. The Commissioners must have viewed their surroundings through the big end of a funnel. Their perspective was not broad

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enough for them to perceive that there were 3,000 other patients whose welfare had to be diligently cared for. They did not perceive that in the next year (1907) the welfare of the patients and the care of the buildings not only imperatively required the expenditure of the balance mentioned and the appropriation of \$———— for that year by the State, but also required an additional sum of \$2,676.23, leaving the Institution in debt for that sum at the end of the year. They do not know that the balance of \$9,917.55 was appropriated for the “support and maintenance” of the Institution, and that the Trustees had no right to divert it to the erection of new buildings, unless it became necessary to put up a new building in place of one destroyed or worn out. If this money had been used in any other way than for the general purposes of the Institution, the Trustees could have been justly charged with dereliction in office. They also virtually assert that the money used in building silos and a new dairy to take the place of an old and unsanitary one, ought to have been used in building houses for the care of the tuberculous patients. The dairy cost about \$2,500 and the silos less than \$1,200, and they are built on the ground more indispensable to the welfare of all the patients than a dairy; milk is a necessary article of diet for the sick, and it can not be procured in sufficient quantity unless it is produced at the Sanitarium. To produce milk we must have dairies, and must keep and feed cows, and the raising of ensilage and its storage in silos for winter feed is, in

the opinion of expert dairymen, the best and most economical food that can be used. We have thus made provision for keeping 150 milk cows. If the Trustees could have lawfully used the money that went into the dairy and silos for the erection of houses for the segregation of tuberculous patients, it is their opinion that the sum was not more than enough for the erection of one house. Four houses are required, two for the whites, male and female, and two for the negro patients.

They should be of an enduring quality, should correspond in some measure to the quality and design in the other buildings; should protect the patients from winter cold and summer heat, and be so arranged as to be comfortable and contributory to their health at all times and seasons.

Besides many prosperous business and professional men who were on the Board of Trustees during the time of their alleged neglect of the tuberculous patients there were the following physicians whose learning in such matters ought to have been relied on by the laymen: Eugene Foster, of Augusta, long the chief health officer of the city and for 15 years a member of and president of the Board of Trustees of the Sanitarium; W. S. Elkin, of Atlanta; W. W. Pilcher, of Warrenton; Jas. B. Baird, of Atlanta; C. J. Montgomery, of Augusta; J. Frank Harris, of Pavo; W. F. Brunner, Chief Health Officer in Savannah; E. Bates Block, of Atlanta; Thos. R. Wright of Augusta, and Thos. M. Hall, of Mil-

ledgeville. Meanwhile the Trustees were aided and instructed in their work by Dr. T. O. Powell, Superintendent of the Institution for 28 years, every pulse of whose great heart beat in sympathy toward all the unfortunate people consigned to his care, and by an able corps of assistant physicians.

The Trustees are also supported by the very able and distinguished jurist who served on the Commission, viz.: Judge W. F. Jenkins, whose clear acumen and sound judgment lead him to differ with his colleagues on this subject. At least, if it may be spoken without egotism, the Trustees are sustained by their own convictions of duty in the premises; while they give such value to the opinions of the Commissioners as they esteem them to be worth, they dare not abdicate their own judgment in respect to what is required of them in the management of this great trust.

The Institution is spoken of as "Sleepy Hollow," and its officers characterized as "drifting into a rut and need digging out." What truth is there in that statement? We will furnish some facts, and allow each reader to form his own opinion of them. Dr. T. O. Powell, who until two years ago had been the incomparable head of this Institution for 28 years, was at different times during his incumbency the President of the Medico-Psychological Association of the United States and Canada, which is an Association composed of all the executive heads of all the hospitals, asylums and sanitariums for the in-

sane, both public and private, in the United States and Canada; the President of the Southern Association of Southern Hospitals; the President of the Medical Association of Georgia, and a member of the American Medical Association. He well understood the design of these institutions, and was among the first to avail himself of every forward step gained in his profession, and among the first to put in operation every reform in hospital service; indeed, he was the first, as we are informed, to discard all "penitentiary methods of restraint," and all irritating mechanical devices used in subduing and restraining refractory patients. He also had visited and inspected many of the asylums for the insane in different States, North and South, and was well acquainted with their management. The Medical Staff of the Institution is an able one; some of them would not suffer by comparison with these Commissioners either in character, natural endowments, professional attainments, experience or skill in the treatment of disease. They read medical books and journals as they are published; attend the sessions of the Medical Association when they can be spared, and are alert in their efforts to discover every advance in the medical profession.

The Superintendent is sent to the Annual Sessions of the Medico Psychological Association of the United States and Canada to see what the other States are doing in the line of his work, and is instructed to visit all institutions for the insane within



his reach. The pendency of this investigation prohibited his attendance on the last session. An intelligent member of the Medical Staff who has given much attention to the treatment of tuberculosis, was sent as a delegate to the International Congress for Tuberculosis, which convened in Washington, D. C., last October, in order that he might learn the most advanced and scientific methods of treating this disease that is now used by the illustrious scientists of every country. The Medical Staff are stimulated to the highest achievements in their present situations by the noblest ambition that can inspire a professional man, namely,—the desire to win honorable success here; to rise to fame as the head of his profession, and to become the head of this Institution or one of like character. Of those who have recently gone out from this Institution one is the Executive head of the State Epileptic Colony at Parsons, Kansas, and the other assistant to the Superintendent of Rockefeller Institute, New York City. New York and Kansas would scarcely go to “Sleepy Hollow” in search of men to preside over their great institutions. Doubtless the Commissioners were profoundly ignorant of all these facts, and will be astounded to learn that they are true.

The thrust at the Superintendent is wholly undeserved. He is a Christian gentleman of stainless character, and a physician of pronounced skill and attainments in his profession. As assistant physician he served the Institution for 24 years without

aught of criticism either of his conduct or proficiency, and has served it nearly two years as Superintendent, giving entire satisfaction to the Trustees. He is a "safe and sane" executive officer and business man, and conservative and cautious in the administration of its affairs. A man of these characteristics is needed at the helm; an erratic, rash and reckless innovator would inevitably bring the Institution into disrepute. Considering the lack of experience in such work on the part of the Commissioners we would suppose that they would have exhibited a little more modesty in dealing out their criticisms upon our honored and experienced officers.

We are gratified to know that the Commission discovered that the "basic wrong at the asylum is due to the small appropriations they receive from the State." While the admission seems inconsistent with other parts of the report wherein the Trustees are reproved for not doing things that were impossible to be done for the lack of money, yet we accept it as the safest conclusion that they were able to reach. The Institution has been handicapped by lack of money through all the years that it has lived.

The Trustees have endeavored from year to year to impress upon the Legislature the fact that the Institution could not be creditably conducted upon the meagre appropriation received. They have never asked for the whole that was needed, and have never been granted what they asked. They have keenly felt the humiliation of being compelled to

conduct the Institution at a daily expenditure of 30 to 35 cents per capita. If the Commission will induce the Legislature to appropriate a per diem of 50 cents per capita, as they wisely recommend that the Institution should have for its successful operation, the Trustees will guarantee the completion of all improvements that they recommend, and which the Trustees have so earnestly desired to inaugurate, and also to achieve many other necessary improvements which they do not refer to.

The following resolutions were read third time and put upon their passage:

By Mr. Huie—

A resolution permitting Committee to visit School for Deaf during interim between sessions 1909 and 1910.

Report of the Committee was agreed to.

Upon the passage of the resolution the ayes were 27, nays 0.

The resolution having received the requisite Constitutional majority, was passed.

By Mr. Calbeck—

A resolution to provide for the meeting of the Committee on the Academy of Blind of Senate and

House, for the purpose of visiting and inspecting the Academy while the General Assembly is not in session.

Report of Committee was agreed to.

Upon the passage of the resolution the ayes were 27, nays 0.

The resolution having received the requisite Constitutional majority, was passed.

By Mr. White—

A bill relating to the liability of common carriers by railroads to their employees in certain cases, and for other purposes.

Report of Committee was agreed to.

Upon the passage of the bill the ayes and nays were ordered, and the vote is as follows:

Those voting in the affirmative were Messrs.:

Akin	Griffith	Murray
Bowen	Harrell	Morris
Burwell	Harben	Mathews
Blackwell	Irwin	McLean
Calloway of 10th	Johnson	McCurry
Calloway of 29th	Jackson	McWilliams
Calhoun	Kemp	McCollum
Cates	King	Patterson
Conley	Longley	Perry
Gordy	Mays	Rutherford

Slater  
Sellers

Ward of 5th  
Womble

Wood

Those not voting were Messrs:

Day  
McDowell  
McClure

Price  
Pitts  
Rudicil

Stevens  
Ward of 7th  
Mr. President

Ayes, 35; Nays, 0.

The bill having received the requisite Constitutional majority, was passed.

Mr. Burwell, Chairman of the Appropriation Committee, submits the following report:

*Mr President:*

The Appropriation Committee has had under consideration the following resolution of the House which I am instructed to report back to the Senate with the recommendation that the same do pass:

A resolution to reimburse Major Jefferson Davis Dunwoody, of the National Guard of Georgia, in the sum of \$98.50 for certain expenses.

Respectfully submitted,

BURWELL, Chairman.

By Mr Wright

A resolution to reimburse Major Jefferson Davis Dunwoody \$98.50 for certain expenses.

Report of the Committee was agreed to.

Upon the passage of the resolution the ayes and nays were ordered, and the vote is as follows:

Those voting in the affirmative were Messrs :

Burwell	Irwin	McCollum
Blackwell	Johnson	Patterson
Callaway of 10th	Kemp	Perry
Callaway of 29th	Mays	Pitts
Cates	Morris	Rutherford
Conley	Mathews	Sellers
Day	McLean	Stevens
Gordy	McDowell	Ward of 5th
Griffith	McCurry	Wood
Harben	McWilliams	

Those not voting were Messrs:

Akin	King	Rudicil
Bowen	Longley	Slater
Calhoun	Murray	Ward of 7th
Harrell	McClure	Womble
Jackson	Price	Mr. President

Ayes, 29; Nays, 0.

The resolution was adopted.

The following House bill was taken up with House amendment to Senate substitute, and the amendment was concurred in:

By Mr. Upshaw—

A bill to authorize the Commissioner of Pensions to pay the amount due the husband which is to be paid a pension for the following year who died before January 1st.

The following resolutions of House were read 3d time to be put upon their passage:

By Messrs. Hardeman and Holder—

A resolution to pay W L. Williamson \$100.00, and for other purposes.

Report of the Committee was agreed to.

Upon the passage of the resolution the ayes and nays were ordered, and the vote is as follows:

By Mr. McFarland—

A resolution to pay Archibald McKinley pension due him.

Report of the Committee was agreed to.

Upon the passage of the resolution the ayes and nays were ordered, and the vote is as follows:

Those voting in the affirmative were Messrs.:

Burwell	Jackson	McCollum
Blackwell	Kemp	McClure
Cates	King	Patterson
Conley	Longley	Perry
Day	Mays	Pitts
Gordy	Murray	Rutherford
Griffith	Morris	Ward of 5th
Harrell	McLean	Wood
Irwin	McDowell	
Johnson	McWilliams	

Those not voting were Messrs:

Akin	Mathews	Stevens
Bowen	McCurry	Ward of 7th
Callaway of 10th	Price	Womble
Callaway of 29th	Rudicil	Mr. President
Calhoun	Slater	
Harben	Sellers	

Ayes, 28; Nays, 0.

The resolution was adopted.

The following message was received from the House, through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House insists on its disagreement to the following amendments to House Bill No. 417, known as the General Tax Bill:

Numbers 9, 12, 13, 18.



The House insists on its amendments to Senate amendment No. 5.

The House recedes from its disagreement to Senate amendment No. (18<sup>th</sup>).

The following have been appointed as a Conference Committee on the part of the House to confer with a like Committee on the part of the Senate on House Bill 417:

Messrs. Reid, of Campbell, Hill, Ault.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The following members of the House are appointed as Commission on the part of the House as provided in House Bill No. 26—a bill to codify the laws of Georgia, to-wit:

Messrs. Brown, of Carroll, Jones, of Meriwether, Lawrence, of Chatham.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has offered a substitute for the Senate amendment to House Resolution No. 11.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House has concurred in the Senate amendments to the following bill of the House:

A bill to amend Charter of City of Macon.

The following Committee was appointed on the part of the Senate on tax valuations:

Senators Mathews and Akin.

The following Conference Committee was appointed on Senate amendment No. 5 to the General Tax Act:

Messrs. Slater, Mathews and Burwell.

The following Conference Committee report was adopted to House resolution No. 11, relative to the purchase of certain lands in Chattanooga for terminal purposes of the W. & A. R. R.

This report is the amendment to the resolution:

Provided, however, that the Governor shall first examine and approve the matter, and if in his judgment, it is not to the best interest of the State, he may decline to make the purchase

F. M. LONGLEY, Chairman.

The following House resolutions were read third time:

By Mr. Guyton—

A resolution to pay pension to Mrs. Susan P Ford, widow of E. P Ford.

Report of the Committee was agreed to.

Upon the passage of the resolution the ayes and nays were ordered, and the vote is as follows:

Those voting in the affirmative were Messrs.:

Akin	Irwin	Price
Callaway of 29th	Kemp	Perry
Calhoun	Longley	Pitts
Cates	Murray	Rutherford
Conley	Morris	Stevens
Day	McCurry	Womble
Gordy	McWilliams	Wood
Griffith	McCollum	
Harben	Patterson	

Those not voting were Messrs:

Bowen	King	Slater
Burwell	Mays	Sellers
Blackwell	Mathews	Ward of 5th
Callaway of 10th	McLean	Ward of 7th
Harrell	McDowell	Mr. President
Johnson	McClure	
Jackson	Rudicil	

Ayes, 25; Nays, 0.

The resolution was adopted.

By Mr. Hardman—

A resolution for the relief of Claude Hancock and John Bruce.

Report of the Committee was agreed to. .

Upon the passage of the resolution the ayes were 26, nays 0.

The resolution having received the requisite Constitutional majority, was passed.

The following Senate bill was read first time:

By Mr. Sellers—

A bill to authorize street cars and railroads to transport or carry, free of charge, Confederate soldiers and their widows.

Referred to Committee on General Judiciary

The following resolution was read third time to be put upon its passage:

By Mr. Brown—

A resolution to pay pension of Mrs. Lottie E. Coker.

Report of the Committee was agreed to.

Upon the passage of the resolution, the ayes and nays were ordered, and the vote is as follows:

Those voting in the affirmative were Messrs.:

Bowen	Griffith	McLean
Burwell	Harrell	McCurry
Blackwell	Irwin	McWilliams
Callaway of 10th	Johnson	McCollum
Calhoun	Jackson	Patterson
Cates	Kemp	Perry
Conley	King	Ward of 5th
Day	Mays	Wood
Gordy	Murray	

Those not voting were Messrs:

Akin	McDowell	Slater
Callaway of 29th	McClure	Sellers
Harben	Price	Stevens
Longley	Pitts	Ward of 7th
Morris	Rutherford	Womble
Mathews	Rudicil	Mr. President

Ayes, 26; Nays, 0.

The resolution was passed.

The following message was received from the House through Mr Boifeuillet, the Clerk thereof:

*Mr President:*

The House has concurred in the Senate amendment to the following bill of the House, to-wit:

A bill to forfeit the license of certain insurance companies doing business in this State upon certain conditions.

Also,

The House has concurred in the Senate amendment to the following resolution of the House, to-wit:

A resolution authorizing the Governor to have the interior of the Hall of the House of Representatives re-finished, etc.

The Speaker has appointed on the part of the House the following members of the House as a Committee in pursuance of House Resolution No. 160, the same calling for a joint Committee to investigate certain charges against the State Sanitarium, to-wit:

MESSRS. HENDERSON, of Irwin;

McCRORY,

BROWN, of Fulton,

CARSWELL,

TUGGLE,

BAKER,

BROWN of Murray

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The Speaker has appointed on the part of the House the following members of the House as a Committee on Tax Valuations, etc.

Messrs. REID, of Campbell,  
HARDMAN, of Jackson,  
ALEXANDER, of DeKalb,  
ELLIS,  
LOVEJOY.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr. President:*

The House having failed to pass, by the requisite Constitutional majority, the following bills of the Senate, the same were lost, to-wit:

A bill to provide for pleading and practice in County Courts; to provide for trial by jury in civil cases, etc.

A bill to confer upon Counties and Municipalities power and authority to grant franchises to corporations for construction of electric lines, etc.

Also,

The House having failed to pass, by the requisite Constitutional majority, the following resolution of the Senate, the same was lost, to-wit:

A resolution to authorize the State of Georgia to exchange certain lands in Cobb County for lands belonging to Western and Atlantic Railroad.

*Mr President:*

The Conference Committee upon the disagreeing votes of the House and Senate, upon the General Tax Act, beg leave to submit the following report:

1. The Committee recommends that the House recede from its disagreement to the Senate amendment No. 9, and that the amendment be amended by striking "fifty dollars," and inserting in lieu thereof "seventy-five dollars," and that both Houses agree to said amendment as amended.
2. The Committee recommends that the Senate recede from its amendment No. 12.
3. The Committee recommends that the House recede from its disagreement to Senate amendment No. 13 and agree to the same.
4. The Committee recommends that the House recede from its disagreement to the Senate amendment No. 18 and agree to the same.



5. The Committee recommends that the following amendment be adopted by both Houses, to the General Bill in lieu of the amendment proposed by the Senate, as No. 5, and that both Houses agree to said amendment as follows:

Paragraph 38. Upon every manufacturer in this State of any syrups or extracts used in the manufacture, preparation or mixing of any beverage or drink, the sum of fifteen hundred dollars. *Provided*, that if said sum of fifteen hundred dollars shall amount to more than one-half of one per cent. of the gross sales of said manufacturer for the year previous to the year for which the tax is paid, the amount of the tax shall be reduced to a sum not exceeding one-half of one per cent. of said gross sales. And it shall be the duty of any manufacturer claiming a reduction of the said tax, or his agent or representative, to furnish to the Tax Receiver of the County wherein the principal office and place of business of said manufacturer is located a statement under oath of the amount of the gross sales of said manufacturer in the State of Georgia for the year preceding the year for which the tax is paid, which statement shall be the basis of determining the amount of the tax to be paid.

(b) Upon every agent or representative in this State of any non-resident manufacturer of syrups or extracts used in the manufacture, preparation or mixing of any beverage, the sum of fifteen hundred dollars, *provided*, such non-resident manufacturer

may relieve his or its agents or representatives of the payment of said tax by paying the tax put upon manufacturers in this State as per the method and schedule set out in the first sub-division of this paragraph.

Respectfully submitted,

SLATER,

BURWELL,

MATHEWS.

This report was adopted as amended, and the amendment is:

Amend Committee's report by providing that the Senate accept House amendment to Paragraph 38, Section 2, after amending said House amendment by substituting "one-fourth of one per cent." for "one per cent." wherever one per cent. occurs.

All amendments reported by the Conference Committee were adopted. Ayes 29, nays 0.

The following message was received from the House through Mr. Boifeuillet, the Clerk thereof:

*Mr President:*

The House has agreed to the report of the Conference Committee on House Bill No. 417, the same being: A bill to annually levy and collect a tax for

the support of Executive, Legislative and Judicial Departments of the State Government, etc.; and the recommendations adopted and agreed to as amended.

Mr. Conley, Chairman of the Committee on Enrollment, submitted the following report:

*Mr President:*

The Committee on Enrollment report as duly enrolled and ready for the signature of the President of the Senate and Speaker of the House of Representatives, the following Acts and resolutions, to-wit:

An Act to amend an Act establishing a Board of Dental Examiners.

An Act to provide for supersedeas of judgments of conviction in County and other Courts.

An Act to provide for "Georgia Day."

An Act to provide for County Police, and for other purposes.

An Act to amend Section 342 of the Penal Code of Georgia.

An Act to repeal all laws now of force in this State authorizing the issue of grants to lands under head rights.

An Act to amend Section 982 of the Code so as to add Colquitt, Miller County, to the list of State Depositories.

An Act to amend the Charter of the City of Shellman.

An Act to amend an Act to incorporate the City of Collins, in Tatnall County.

An Act to amend Section 936, Volume 1, of the Code of 1895.

An Act to amend the Charter of the City of Waynesboro so as to create the office of Recorder.

An Act to amend an Act to establish the City Court of Baxley, in Appling County

An Act to amend an Act establishing the City Court of Abbeville, Wilcox County

An Act to create a new Charter for the town of Rutledge.

An Act fixing the salary of the stenographer in the office of the Attorney-General.

An Act to establish a Board of Osteopathic Examiners for the State of Georgia.

An Act to fix compensation for the Ordinaries for receiving and paying out pensions.

An Act to amend the Charter of the City of Fort Valley

An Act to amend an Act approved December 25, 1898, establishing the City Court of Dawson.

An Act to amend Section 2059 of Volume 2 of the Code of Georgia of 1895.

An Act to amend an Act to establish the City Court of Baxley, in Appling County

An Act to amend Section 982 of Volume 1 of the Code of Georgia, so as to add Jasper, Pickens County, to the list of State Depositories.

An Act to provide for another Judge of the Atlanta Circuit.

A resolution providing that officers and enlisted men of the National Guard are permitted to count service performed in the National Guard in other States towards retirement in this State.

A resolution providing for carrying over unfinished business to the session of 1910.

A resolution to provide for the immediate publication of the laws enacted by the General Assembly.

An Act to make penal the wilful and falsely uttering or circulating of any defamatory words derogatory to the fair name of any virtuous female.

A resolution providing for a joint Committee on Tax Returns and Valuations.

An Act to provide that County School Commissioners of the several Counties of this State shall be elected by a vote of the people.

An Act to preserve to beneficial, fraternal, social, humane and charitable organizations the right to exclusive use of names adopted.

An Act to prescribe the manner of letting public printing.

A resolution providing for a joint Committee to investigate and report on the advisability of rearranging the Judicial Circuits of this State.

An Act to create a new Charter for the town of Lumber City.

Respectfully submitted,

F. E. CONLEY, Chairman.

Mr. Conley, Chairman of the Committee on Enrollment, submitted the following report:

*Mr. President:*

The Committee on Enrollment report as duly signed by the President of the Senate and Speaker of the House of Representatives, and delivered to

the Governor, the following Acts and resolutions, to-wit:

An Act to amend an Act establishing a Board of Dental Examiners.

An Act to provide for supersedeas of judgments of conviction in County and other Courts.

An Act to provide for "Georgia Day."

An Act to provide for County Police, and for other purposes.

An Act to amend Section 342 of the Penal Code of Georgia.

An Act to repeal all laws now of force in this State authorizing the issue of grants to lands under head rights.

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An Act to amend the Charter of the City of Shellman.

An Act to amend an Act to incorporate the City of Collins, in Tatnall County.

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An Act to prescribe the manner of letting public printing.

A resolution providing for a joint Committee to investigate and report on the advisability of rearranging the Judicial Circuits of this State.

An Act to create a new Charter for the town of Lumber City.

Respectfully submitted,

F. E. CONLEY, Chairman.

*Mr President:*

I am instructed by the House to notify the Senate that the House has completed its work and is now ready to adjourn *sine die*.

On motion, the Senate adjourned *sine die*.



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**TO THE**

**SENATE JOURNAL**

**FOR THE**

**YEAR 1909**



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## MESSAGES, HOUSE—

	9	9	143	153	234
	235	236	238	274	281
	302	318			
	339	349	361	379	398
	456	481	504		
	553	564	582	592	600
	624	650	666	687	
	716	761	789	798	798
	841	856	869	870	955
	971				
	973	975	977	978	1051
	1052	1052	1052	1053	1056
	1058	1058	1061		

## MESSAGES, EXECUTIVE—

	11	12	144	158	166	195	257	264	427
	507	558	582	594	639	659	705	792	869
	957								

## MISCELLANEOUS BILLS—

A bill to prohibit the using of trading stamps in this State	152	316	328	460
A bill to authorize and provide for the filing and hearing and determining motions for new trials on extraordinary grounds in vacation	..			155
A bill to make penal the falsely uttering of words derogatory to the reputation of any virtuous unmarried female	155	316	328	960
A bill to fix the salary of the stenographer in the office of Attorney-General	155	287	500	643
A bill to amend the road laws of this State.	156	316		

## MISCELLANEOUS BILLS.—Continued.

A bill to enable planters to execute a lien on crops before planted . . . . .	157	313
A bill to establish a board of osteopathic examiners for the State of Georgia . . . . .	181	441 480
A bill to amend an Act establishing a board of dental examiners in this State . . . . .	185	440 485
A bill to amend the road laws of this State . . . . .	186	404 417 476
A bill to amend the Act entitled An Act to authorize corporations controlling water power in this State, so as to extend the right of condem- nation . . . . .	188	390 428
A bill to make it a misdemeanor to obtain food or lodging from any hotel under false pretenses . . . . .	189	501 704
A bill to prevent the issuing of marriage license to persons having certain diseases . . . . .	190	300 477 484
A bill to provide protection to purchasers from legatees . . . . .		194
A bill to amend and change the time of meeting of the General Assembly from 4th Wednesday in June to 2d Wednesday in October of each year . . . . .		234
A bill to regulate the practice of optometry in this State . . . . .	235	278
A bill to declare the 12th day of February of each year a legal holiday . . . . .	235	278 286
— A bill to require legislative counsel to register with with the Secretary of State, and for other pur- poses, . . . . .	263	578
A bill to prohibit unfair commercial discrimination between different sections . . . . .	264	374 417
A bill for the protection of benevolent associations in this State . . . . .	264	672
A bill to create a lien on automobiles in certain cases . . . . .	276	579



A bill to define the rights and powers of orphans homes and asylums and other benevolent insti- tutions	283	500	793
A bill to repeal all laws of force in this State authorizing the issue of grants to land under headrights	283	373	397
A bill to protect the health of the traveling public by requiring hotels to furnish clean sheets.			284
A bill to create the office of State veterinarian and to prescribe his duties		299	374
A bill to protect the live stock of this State from all contagious and infectious diseases.	299	374	444
A bill to prescribe the manner in which legal execu- tions shall be had in this State			315
A bill to provide a writ of error from certain interlocutory orders		345	441
A bill to declare void contracts to buy or sell agricultural products not already grown			359
A bill to provide that no person shall be entitled to a homestead in personal property which has been purchased and not paid for			366
A bill to prohibit the use of worthless fillers in fertilizers in this State.		367	443
A bill to prohibit prize fighting in this State.			367
A bill to amend the Act creating a treasury de- partment in this State			373
A bill to amend the Act to prescribe the manner, etc., for letting public printing to the lowest bidder	392	518	699 978 980
A bill to regulate and limit mortgage fi. fas. to 7 years		432	501
A bill to provide for the regular exchange of books between States			442
A bill to make wife or husband competent witness in case of bigamy		443	500
A bill to amend the registration laws of Georgia.	450		501

## MISCELLANEOUS BILLS—Continued.

A bill to make it unlawful to seize or levy upon certain property in this State .....	483
A bill to provide for a department of labor in this State .....	559
A bill to provide for the appointment of an assistant librarian for this State. ....	560 509
A bill to provide that the seventh and eighth militia districts by stock fence . . . . .	604
A bill to establish a uniform warehouse receipt in this State .....	752
A bill to provide for the branding of oyster, with weight of oyster meat .....	954

## MUNICIPAL LAWS—

A bill to authorize the city council of Augusta to acquire by condemnation certain real property in the city of Augusta .....	154 284
A bill to amend the charter of Pepperton in Butts county .....	184
A bill to incorporate the city of Dawson and grant a new charter .....	315 341 356
A bill to provide a new charter for the city of Rochelle .. . . .	350 407 444
A bill to amend the charter of the city of Fort Valley .. .....	366 442 519
A bill to provide for the transfer of registered maps of municipalities . . . . .	376 578
A bill to amend the charter of the town of Shellman .....	390 644 696
A bill to amend an Act amending the charter of the city of Columbus relative to police commission .....	405 500 519
A bill to create a new charter for the town of Rutledge .....	483 602

## MUNICIPAL LAWS—Continued.

A bill to confer upon municipalities in Georgia the right to grant franchises to corporations.	502	577	735
A bill to create a new charter for the town of Lumber City	559	672	696
A bill to incorporate the city of Collins.	603	705	772
A bill to amend the charter of Waynesboro.	604	643	696
A bill to incorporate the city of Crawford. ..	605	644	
A bill to incorporate the town of Crawford.	605	643	
A bill to amend the charter of the city of Griffin	673	692	772
A bill to amend an Act incorporating East Ellijay			752
A bill to establish a system of waterworks for Buena Vista			752
A bill to maintain a system of electric lights for Buena Vista			752

## MILITARY LAWS—

A bill to amend an Act to conform the organization and discipline of the organized militia of this State ..	275	317	393
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## ORGANIZATION 3

## PENSION LAWS—

## PENITENTIARY—

## PRISON COMMISSION—

## RAILROADS—

A bill to require all railroads doing business in this State to fence their road beds. ..			151
A bill to provide for the lease of the Western & Atlantic Railroad ..	180	404	
A bill to require all railroad companies operating coaches to use some disinfectant when sweeping coaches	194	408	428

## RAILROADS—Continued.

A bill to authorize railroad companies in this State to condemn property in certain cases.	350	408	660
A bill to provide for separate cars for white and colored passengers on the street railways of this State		432	629
A bill to repeal an Act entitled an Act to amend Sec. 4 relative to running freight trains on Sunday			440
A bill to authorize street cars and railroads to transport free of charge Confederate soldiers and their widows			1055

## RAILROAD COMMISSION—

A bill to require certain corporations to submit for approval to the Railroad Commission the creation of liens, etc., upon property in this State.	447	578
A bill to amend the Act increasing the membership of the Railroad Commission of Georgia.		482
A bill to amend an Act to provide the oath of office to be taken and subscribed to by the members of the Railroad Commission		577

## SCHOOLS—

A bill to provide for the election of county school commissioners of this State by a vote of the people	150	300	311	960
A bill to amend the Act establishing and maintaining the Agricultural Colleges of the Congressional Districts of this State			433	464
A bill to authorize the Haygan-Claxton local school district to issue bonds				604

## STATE GEOLOGIST—

## TAXES—

A bill to amend an Act providing for the collection of past due taxes to State counties and municipalities	298	441	480
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## TAXES—Continued.

A bill to prescribe the manner of making returns of accounts, notes, etc., subject to taxation.	299
A bill to provide for a Board of Equalizers of taxes in this State	314
A bill to make it a misdemeanor to fail to make a return to the tax receiver in the counties of this State	315 441
A bill to require all claims for wild land sold under fl. fas. issued by the tax collector to bring suit to recover same within 18 months . .	350 578
A bill to require tax authorities of each county to levy tax to meet current expenses.	448
A bill to provide a method for assessing and collecting taxes	464 501

## SENATE RESOLUTIONS—

A resolution notifying the House that the Senate has organized and is ready for the transaction of business	10
A resolution convening the Senate and House in joint session	11
A resolution appointing a committee from the Senate and House to arrange for the inauguration of the Governor-elect	11
A Resolution calling attention of the President of the United States to the fact that the South does not get its share of the consular appointments, and requesting that he consider the same.	157
A resolution to provide for the appointment of a committee from the Senate and House to investigate the suspension of S. G. McLendon as Railroad Commissioner by the Governor	164
A resolution appointing a committee from the Senate and House to draft a bill to re-arrange the Judicial Circuits	165

## SENATE RESOLUTIONS -Continued.

A resolution—Resolved, That the session of the Senate shall be extended to one o'clock each day, and at said hour Senate shall stand adjourned.	182	
A resolution appointing a committee from the Senate and House to look into the advisability of changing the Judicial circuits of this State	187	
Resolved, That when the Senate adjourns Friday, it stand adjourned till Monday .. ..	191	192
A resolution, convening the General Assembly in joint session to declare the result of the election of United States Senators ..		194
A resolution inviting Senator Clay to address the General Assembly ..		260
A resolution providing for the disposal of the cotton tax if refunded by the United States, by appropriating same to Confederate veterans.	277	312
A resolution to appoint a committee from the Senate and House to report to the General Assembly a measure to secure more full returns of property for taxes	277	356
A resolution requesting our Representatives in Congress to vote to raise the salaries of the rural carriers ..	300	313
A resolution to provide that service in other States of enlisted men shall count as to time to be served before retirement	315	342 358
A resolution—Resolved, That the said S. G. McLendon be, and he is hereby, removed from the office of Railroad Commission of Georgia.	483	516
A resolution to make Resolution No. 18 the special and continuing order for Wednesday, July 28.	502	506
A resolution to authorize the State of Georgia to make exchange of about 6 acres of land owned in Cobb county by the W. & A. R. R.	507	603 735
Resolved, That S. G. McLendon be suspended from the Railroad Commission of Georgia.	559 561	568 597

## SENATE RESOLUTIONS—Continued.

- A Resolution extending a hospitable welcome to President Taft and Postmaster-General to the Postmasters' Convention to be held in Gainesville in September .. 580
- A resolution—Resolved, By the Senate, the House concurring, That all bills and resolutions on the calendar at the end of the present session shall go over to the session of 1910 as unfinished business 592
- A resolution to appoint a committee from the Senate and House to prepare a uniform road law 607
- A resolution to appoint a committee from the House to call upon the officers of the Department of the Gulf and extend them a cordial welcome to our State 607
- A resolution—Resolved, That Congress shall have power to levy and collect taxes on incomes from whatever source desired without apportionment. 621
- A resolution authorizing Congress to levy and collect income tax from whatever source desired without apportionment among the States. 622
- A resolution that Senate Bill No. 101 be set for special and continuing order today 629 635
- A resolution convening the Senate at 9 o'clock tomorrow morning 640
- Resolved, That the sympathies of the Senate be extended Senators Word and Rudicil in their illness, and that they be excused for the remainder of the session . 645
- A resolution authorizing the President of the Senate, Speaker of the House, Secretary of the Senate, Clerk of the House, Enrolling Committee of the House and Senate and Postmaster to remain at the Capitol five days for the purpose of winding up the business of the General Assembly, and they be paid their regular per diem. 673 753

## SENATE RESOLUTIONS Continued.

A resolution to authorize the State Librarian to furnish the various Acts of the General Assembly and all Supreme and Appellate Court Reports to the various new counties.	605	763
A resolution to provide for the disposition of certain funds arising from the appropriation by United States to the Georgia troops during the Spanish-American War	..	896
A resolution requesting the State Printer to publish the Acts and have them ready for use within sixty days		918
A resolution to ratify 16th Amendment to the Constitution of the United States		972
A resolution calling for a joint committee to investigate certain charges made against the State Sanitarium	..	979
A resolution authorizing the Governor to have the interior of the hall of the House of Representatives refurnished		979



## HOUSE BILLS.

### APPROPRIATIONS—

A bill to appropriate \$10,000.00 to the State Board of Entomology for 1909-10 to be used on experimental work on Black Root or with disease of cotton	676	691	938
A bill to make appropriations for the ordinary expenses of the departments of State of Georgia.	691	949	
A bill to appropriate the sum of \$8,000.00 for two negro reformatories	796	832	946
A bill to make additional appropriation to the Board of Health	815	882	937

### BANKS—

A bill to amend Section 982 of the Code adding Homerville to the list of State depositories.	612	771	967
A bill to amend Section 982 adding Chipley to the list of State depositories.	626	771	932
A bill to amend Section 982 adding the town of Summerville to the list of State depositories	675	771	838
A bill to amend Section 982 adding Guyton to the list of State depositories.	769	969	

### BONDS OF STATE—

### CODE AMENDMENTS—

### COUNTY COMMISSIONERS—

A bill to abolish the board of county commissioners of Putnam county	311	470	533
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## COUNTY COMMISSIONERS—Continued.

A bill to provide for compensation for the commissioners of roads and revenues for Gordon county	326	343	355
A bill to create the office of commissioner of roads and revenue for Putnam county	326	466	529
A bill to amend the Act establishing the board of county commissioners for Webster county	327	376	448
A bill to create a board of commissioners of roads and revenues for Coffee county	368	411	520
A bill to repeal the Act creating a board of commissioners of roads and revenue for Coffee county	368	411	520
A bill to amend the Act creating the board of county commissioners for Hall county	369	407	418
A bill to create the office of commissioner of roads and revenue of Henry county			386
A bill to create the office of commissioner of roads and revenue for Telfair county	387	454	540
A bill to repeal the Act creating the board of commissioners of roads and revenue of Cherokee county			409
A bill to amend the Act creating a Board of county commissioners for Douglas county	410	619	724
A bill to amend an Act to repeal an Act providing for the creation of a board of commissioners of roads and revenues for Telfair county	410	453	541
A bill to amend the Act creating the commissioners of roads and revenues for Turner county	410		723
A bill to repeal the Act creating a board of commissioners of roads and revenue for Johnson county	411	467	532 549
A bill to amend an Act entitled an Act to create a board of commissioners of roads and revenue for the county of Colquitt.	570	840	923
A bill to create the office of commissioner of roads and revenue for Butts county ..			572

## COUNTY COMMISSIONERS—Continued.

A bill to create a board of commissioners of roads and revenue for Madison county	574	619	746
A bill to require the commissioners of roads and revenues of Dooly county to work on public roads within the limits of municipalities.	607	763	838
A bill to be entitled an Act amending an Act to create a board of commissioners of roads and revenue of Dooly county	611	763	836
A bill to amend an Act entitled an Act to create a board of commissioners of roads and revenue in Stewart county	674	750	779
A bill to repeal an Act to create a board of commissioners of roads and revenue for Butts county			675
A bill to authorize and direct the county commissioners of Bibb county to pay certain attorney's fees	679	696	775
A bill to repeal an Act creating a board of county commissioners for the county of Wilkinson.	703	851	926
A bill to create a board of county commissioners for Wilkinson county	703	851	934
A bill to amend an Act to create a board of commissioners for roads and revenues for Irwin county	808	876	922
A bill to create a board of commissioners of roads and revenue for Jeff Davis county.			809
A bill to require the commissioners of roads and revenue of Stewart county to pay the officers of the Superior and city courts compensation.	813	876	984
A bill to amend an Act creating a board of commissioners of Glascock county	814	872	927

## COUNTIES AND COUNTY MATTERS—

A bill to make it unlawful to run traction engines in Thomas and Grady counties			388
A bill to fix the compensation of Ordinary of Stephens county attending to matters pertaining to roads and revenues . . . . .	388	467	541

## COUNTIES AND COUNTY MATTERS—Continued.

A bill to regulate the running of traction engines and log cuts on the public roads of Glynn county	389		
A bill to authorize the county of Ware to issue bonds for public roads.....	390	469	539
A bill to provide for the removal of obstructions from the creeks and streams of Walton county	410	575	616
A bill to amend an Act to provide for eight road districts in Laurens county.	571	740	773
A bill to amend the Act providing for the working of public roads and building of bridges in Toombs county	575	617	646
A bill to authorize the county of McIntosh to issue bonds for improvement of public roads.	612	786	
A bill to repeal, so far as it effects Heard county, the road law	614	784	
A bill to regulate the running of automobiles and other motor vehicles on the public roads in Bartow county	676	883	958
A bill to authorize the proper county authorities in all the counties in this State having a city with a population not less than 54,000 to raise certain sums by taxation for educational purposes.	680	695	782
A bill to prohibit the removal of any sand or dirt from the public roads of Spalding county	702	832	923
A bill to amend an Act relating to appropriations to public libraries by the county of Bibb.	704	831	985
A bill to make unlawful the sale of near beer in the county of Ware	766	878	967
A bill to make unlawful the sale of near beer in Telfair county	804	874	988
A bill to prohibit the sale of near beer in the county of Johnson	810	880	983
A bill to delegate to counties having a city with certain population, power and authority over sanitation	811	875	968

## COUNTIES AND COUNTY MATTERS—Continued.

A bill to authorize any county having a city with a certain population to lay out a system of drainage	815	875	981
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## COUNTY OFFICERS—

A bill to require the county tax collectors of this State to keep cash books	327	377
A bill to create in and for the county of Chatham a county police force	409	466 531
A bill to prescribe the duties and powers of the Ordinary of Johnson county	490	576 615
A bill to fix and regulate fees for justices of the peace within the corporate limits of cities.	607	778
A bill to regulate salaries of stenographers in counties having cities between 23,000 and 30,000 inhabitants	609	785
A bill to fix and regulate fees for constables of militia districts of this State which are located within the corporate limits of cities having a population of not less than 54,000.	679	733 780
A bill to provide for the shipping and keeping with the ordinaries of this State by the State Board of Health diphtheritic anti-toxine.	808	877 934

## COURTS—CITY—

A bill to provide for the appointment of a judge of the city court of St. Mary's.	309	440	475
A bill to amend the Act creating the city court in and for Calhoun county	310	343	354
A bill to amend the Act establishing the city court of Moultrie	..	325	377
A bill to amend the Act establishing the city court of Dublin	326	377	537
A bill to repeal the Act establishing the city court of Dalton	..	327	343 355

## COURTS—CITY—Continued.

A bill to amend the Act establishing the city court of Hall county . . . . .	370	468	523
A bill to amend the Act establishing the city court of Thomasville . . . . .	371	470	524
A bill to amend the Act creating the city court of Tifton . . . . .	388	499	524
A bill to abolish the city court of Mt. Vernon . . . . .	389	499	528
A bill to amend the Act establishing the city court of Miller county . . . . .	389	499	525
A bill to amend an Act establishing the city court of Sylvester . . . . .	461	499	532
A bill to establish a city court of Ocilla . . . . .	462	497	523
A bill to amend the Act establishing the city court of Carrollton . . . . .	463	499	520
A bill to amend an Act establishing the city court of Wrightsville . . . . .	491	620	658
A bill to repeal the Act establishing the city court of Hamilton . . . . .	517	619	647
A bill to abolish the city court of Ashburn . . . . .	569	644	725
A bill to establish a city court of Danielsville . . . . .	570	620	720
A bill to amend an Act establishing a city court of Statesboro . . . . .	572	621	719
A bill to amend an Act establishing the city court of Vienna . . . . .	608	684	721
A bill to repeal an Act creating the city court of Barnesville . . . . .	609	683	742
A bill to amend an Act to establish the city court of Leesburg . . . . .	609	644	725
A bill to amend an Act entitled an Act to establish a city court for the city of Columbus . . . . .	611	686	748
A bill to amend an Act amending an Act establishing the city court of LaGrange . . . . .	627	695	788
A bill to amend an Act establishing a city court of Fitzgerald . . . . .	674	695	748
A bill to establish the city court of Hazlehurst . . . . .	674	733	777
A bill to amend an Act to establish the city court of Sylvania . . . . .	679	695	774

## COURTS—CITY—Continued.

A bill to create a city court of Zebulon.	700	769	836
A bill to establish the city court of Nashville.	701	770	836
A bill to amend an Act establishing the city court of Blakely ..			764
A bill to amend an Act establishing a city court of Abbeville ..	807	879	988
A bill to establish the city court of Lumpkin.	813	878	982
A bill to amend an Act establishing the city court of Eastman	814	879	930
A bill to amend an Act establishing the city court of Quitman		874	925

## COURTS—COUNTY—

A bill to abolish the county court of Irwin county	371	470	537
A bill to repeal an Act entitled an Act to create a county court in each county in the State so far as same applies to Pike county	613	733	784
A bill to abolish the county court of Jeff Davis county	626	684	747
A bill to repeal an Act to create a county court in each county in the State	700	770	982

## COURTS—SUPERIOR AND SUPREME—

A bill to take from the Northern judicial circuit the county of Hancock and add same to the Oconee circuit	288	343	355
A bill to change the time of holding the Superior Court of Green county	310	377	539
A bill to change the time for holding the Superior Court of Wilkes county			310
A bill to change the time of holding the Superior Court of Douglas county	370	468	526
A bill to amend the Act to increase the number of terms of Superior Court of Chatham county	462	498	521

## COURTS—SUPERIOR AND SUPREME—(continued.)

A bill to provide for two weeks' session of the Superior court of Toombs county . . . . .	573	620	645
A bill to increase the number of terms of the Superior Court of Richmond county. . . . .	627	733	781
A bill to change the time of holding the Superior Court of Dodge county . . . . .	628	733	780
A bill to amend an Act entitled an Act to fix the time for the adjournment of the Superior and city courts . . . . .	676	734	774
A bill to divide the counties now composing the Brunswick judicial circuit and form two circuits to be known as Brunswick and Waycross circuits . . . . .	804	873	948
A bill to provide for the detachment of Tattnall county from the Middle judicial circuit. . . . .	804	877	968
A bill to change the time of holding the Superior Court of Liberty county . . . . .	805	880	987

## COURTS OF APPEALS—

A bill to fix the salaries of the judges of the Courts of Appeals . . . . .	310	342	417
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## DISPENSARY—

A bill to wind up the affairs of the dispensary of Blakely . . . . .	463	499	531
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## ELECTION LAWS—

A bill to regulate the registration of voters and making up of registration lists for special elections . . . . .	813	918	
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## HUNTING AND FISHING—

A bill to prohibit fishing in Little Tennessee River in Rabun county . . . . .	626	740	786
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## INSURANCE COMPANIES—

A bill to forfeit the license of certain insurance companies doing business in this State	368	465	964
A bill to fix the amount of assets which life insurance companies shall have	701	876	967

## MISCELLANEOUS BILLS—

A bill to prohibit the giving away of trading stamps in this State.		368	406
A bill to require all cottonseed meal sold in Georgia to be branded according to grade or quality		370	575
A bill to regulate the butchering and preparing for market cattle, etc., in Mitchell county	386	500	538
A bill to create liens for laundrymen and for other purposes	607	732	986
A bill to protect the live stock of the State from all contagious diseases	766	830	947
A bill to create an auditor for State accounts.		794	879
A bill to legalize certain stock law fences in Georgia	804	873	958
A bill to provide for the regular exchange between Georgia and other States of State documents	806	878	965
A bill to create in this State the office of corporations clerk	810	854	932
A bill to provide that the Treasurer of Georgia shall be ex-officio Bond Commissioner	813	883	948
A bill to provide that there shall be two assistant State Librarians, and to fix their salaries.		815	965
A bill to prevent the adulteration and misbranding of agricultural seed		817	874
A bill to provide for the codification of laws of Georgia, and to provide for payment of same.		883	939

## MUNICIPAL LAWS—

A bill to authorize the city council of Augusta to acquire by condemnation certain property in Augusta . . . . .	309	376	420
A bill to create a river and canal commission for the city of Augusta . . . . .	309	376	421
A bill to authorize the mayor and council of Calhoun to erect a crossing over the W & A. R. R. and maintain same . . . . .	326	342	536
A bill to repeal an Act to provide for the change of county lines lying within the limits of incorporated towns . . . . .		327	470
A bill to amend the charter of the town of Fairburn . . . . .		344	469
A bill to amend an Act creating a new charter for the city of Newnan . . . . .	367	465	522
A bill to amend the Act establishing a charter for Monroe . . . . .	369	468	545
A bill to amend the Act incorporating the town of Ty Ty . . . . .	369	466	530
A bill to amend the charter of the town of Logansville . . . . .	369	467	535
A bill to amend the charter of the town of Williamsville . . . . .	370	469	540
A bill to amend the act incorporating the town of Patten . . . . .	370	499	529
A bill to amend the charter of the town of Chipley . . . . .	371	440	538
A bill to amend the charter of the town of Fairburn . . . . .	371	469	525 533
A bill to incorporate the town of Caldwell in Laurens county . . . . .	372	469	528
A bill to amend the Act submitting the question of local taxation in the town of Demorest . . . . .	386	466	536
A bill to amend the charter of the town of Grantville . . . . .	387	466	534

## MUNICIPAL LAWS—Continued.

A bill to further amend the charter of Palmetto	387	467	535
A bill to amend the charter of the town of Greenville	387	468	531
A bill to incorporate the town of Fry in Fannin county	388	500	511
A bill to incorporate the town of Avalon in Stephens county	389	468	535
A bill to amend the Act incorporating the town of Thomasville	389	499	529
A bill to incorporate the city of Glennville.	461	619	723
A bill to incorporate the city of Rays Mill.	461	498	530
A bill to repeal an Act entitled an Act to consolidate the Acts incorporating the city of Dalton	461	734	777
A bill to amend an Act establishing a new charter for Atlanta .. .. .	462	498	542
A bill to amend and supersede the several Acts incorporating Grovetown	462	498	525
A bill to amend the Act incorporating the town of Blairsville	463	563	576
A bill to amend the Act repealing the Act incorporating the town of Wrightsville.	490	575	614
A bill to establish a new charter for the town of Eton	517	576	614
A bill to incorporate the town of Swords in Morgan county	517	575	615
A bill to incorporate the town of Grovania in the county of Houston	569	617	722
A bill to amend an Act incorporating the town of Brinson	569	618	721
A bill to amend an Act incorporating the town of Eastman .. .. .	570	617	743
A bill to repeal an Act to incorporate the village of East Thomaston .. .. .	570	617	840 927
A bill to authorize the mayor and council of Roswell to issue bonds	571	620	722

## MUNICIPAL LAWS—Continued.

A bill to amend the Act amending the several Acts granting corporate authority to the town of Lithonia .. . . .	571	619	742
A bill to extend the corporate limits of the town of Martin . . . . .	571	618	741
A bill to amend the charter of the town of Clarksville . . . . .	572	749	
A bill to incorporate the town of East Thomaston . . . . .	572	647	
A bill to amend an Act incorporating the town of Unadilla . . . . .	573	618	724
A bill to incorporate the city of Summerville in lieu of the town of Summerville. . . . .	573	619	743
A bill to amend an Act entitled an Act to establish and create a charter for the town of Gillsville . . . . .	573	620,	645
A bill to amend the several Acts incorporating the city of Rome . . . . .	574	621	629
A bill to establish a new charter for Tenna . . . . .	574	618	718
A bill to amend the charter of the city of La-Fayette . . . . .	575	683	719
A bill to amend the charter of the city of Forsyth . . . . .	576	616	840
A bill to authorize the mayor and council of Macon to close and sell certain alleys and streets. . . . .	608	683	720
A bill to incorporate the town of Five Forks in the county of Madison . . . . .	609	683	725
A bill to amend local Act of 1899 relating to water, light and sewerage of the city of Marietta. . . . .	610	685	749
A bill to amend local Act of 1906 relative to water and lights for Marietta. . . . .	610	685	750
A bill to provide a new charter for the city of Darien . . . . .	610	685	745
A bill to amend Section 52 of an Act incorporating the city of Lawrenceville. . . . .	611	684	744 749
A bill to extend the corporate limits of the village of Summerville . . . . .	612	648	745

## MUNICIPAL LAWS -Continued.

A bill to repeal an Act to repeal the charter of Zebulon . . . .	613	734	783	922
A bill to amend Section 3 of an Act incorporating the city of Lawrenceville			613	684
A bill to amend the charter of Bronwood.	613	684	718	
A bill to provide and establish a new charter for the city of Waycross	625	682	746	
A bill to repeal an Act incorporating the town of Piedmont	627	685	748	
A bill to amend the Act incorporating the town of Sparks .	628	686	747	
A bill to amend an Act to establish a new charter for the town of Calhoun			674	695
A bill to amend the charter of the town of Calhoun so as to authorize the municipal authorities to levy and collect a business tax.			675	693
A bill to amend the charter of Cairo authorizing the mayor and council to order an election for additional bonds	677	694	780	
A bill to amend an Act establishing a new charter for the city of Dublin .	677	693	787	
A bill to establish a new charter for the city of Jeffersonville			677	777
A bill to incorporate the city of Manchester.	678	694	776	
A bill to amend the several Acts incorporating the town of Decatur	678	694	776	
A bill to define water lot No. 19 in the city of Columbus				678
A bill to establish a new charter for the city of Atlanta and the several Acts amendatory thereof	678	694	778	
A bill to repeal the Act incorporating the town of Oakland City	679	693	773	
A bill to incorporate the city of Pepperton.	681	740	775	
A bill to amend the charter of the city of Tennille in Washington county	681	692	784	

**MUNICIPAL LAWS—Continued.**

A bill to repeal an Act to incorporate the town of Millwood	681	692	779
A bill to establish a new charter for the city of Jeffersonville	681	694	
A bill to amend an Act entitled an Act to create and incorporate the city of Edison, in lieu of the town of Edison	682	693	782
A bill to create a new charter for Rome			700
A bill to incorporate the city of Ellijay	700	770	
A bill to repeal an Act incorporating the town of Yonkers	701	771	836
A bill to amend the charter of the city of Toccoa	702	770	838
A bill to amend the several Acts incorporating the town of Wadley	702	771	838
A bill to amend an Act incorporating the city of Collins	702	771	838
A bill to empower the mayor and aldermen of Milledgeville to sell and convey portions of the streets	703	765	836
A bill to incorporate the town of Arcade.	739	770	834
A bill to amend the charter of the city of Brunswick	740	769	835
A bill to amend the charter of Maysville	740	769	835
A bill to amend the charter of the city of Griffin.			764
A bill to amend the charter of the City of Macon			764
A bill to amend the charter and extend the corporate limits of the town of Calhoun.	764	783	832 931
A bill to amend the charter of Calhoun.	766	785	924
A bill to amend the Act consolidating the Acts incorporating Rockmart	766	832	924
A bill to repeal an Act entitled an Act to incorporate Harmony Grove	767	833	927
A bill to incorporate the city of Commerce.	767	830	929
A bill to create a new charter for the city of McRae	770,	833,	834

## MUNICIPAL LAWS—Continued.

A bill to create a new charter for the city of Jackson ..	795	831	930
A bill to amend an Act incorporating the city of Sylvester	795	831	879
A bill to amend an Act to fix the corporate limits of the city of Ocilla ..	795	832	926
A bill to incorporate the town of Alamo.	804	872	930
A bill to amend the charter of Tooeba.	805	873	935
A bill to amend the charter of Tifton.	805	873	967
A bill to amend the charter of Adairsville.	805	877	921
A bill to amend an Act amending the charter of Sylvester ...		806	984
A bill to amend the charter of Sylvester to extend its corporate limits	806	878	931 987
A bill to amend an Act chartering the town of Lumpkin	807	873	984
A bill to amend an Act to grant a charter for the city of Athens relative to a public hospital	807	874	963
A bill to incorporate the town of Mitchells.	807	873	985
A bill to reconvey to the city of Griffin certain grounds ..	808	880	969
A bill to amend an Act to authorize the municipal authorities of any city having a certain population to establish a farm for persons convicted of misdemeanors ..	809	874	981
A bill to prohibit the sale of near beer in the town of Shellman	808	882	983
A bill to amend the charter of Poulan.	809	876	988 924
A bill to amend the charter of Griffin.	810	832	878 923
A bill to authorize the municipal authorities of any city having certain populations to establish a sanitarium for the care of tuberculosis.	811	874	980
A bill to amend the charter of the city of Jefferson	811	872	986
A bill to amend the charter of the city of Atlanta.	811	877	
A bill to incorporate the town of Woolsey	812	877	962

## MUNICIPAL LAWS—Continued.

A bill to amend the several Acts incorporating the city of Sylvania . . . . .	812	879	989
A bill to incorporate the city of Clayton in Rabun county . . . . .	812	872	929
A bill to repeal the Act incorporating the town of Clayton . . . . .	812	879	925
A bill to amend the Acts consolidating the several Acts incorporating the town of Austell. . . . .	813	876	986
A bill to repeal an Act to incorporate the town of Clayton . . . . .			817
A bill to amend the charter of the city of Macon. . . . .			959

## PENSIONS—

A bill to authorize the Commissioner of Pensions to pay the amount due the husband to his widow . . . . .	765	851	933	1050
A bill to put in force the Constitutional amendment relative to payment of pensions to widows. . . . .				805.

## RAILROADS—

— A bill to permit street railways to grant free transportation to policemen and firemen. . . . .	367	415	451	640.
A bill to authorize and empower the Rome & Northern R. R. to cross the track of the Western & Atlantic . . . . .	796	831	963	
A bill to authorize electric railway companies to acquire by purchase, etc., franchises of other companies formed to generate electricity . . . . .	814	875	928	
A bill relating to the liabilities of common carriers by railroads to their employees in certain cases . . . . .	816	854	1047	
A bill to allow common carriers to grant passes to former employees under certain conditions. . . . .	817	875	966.	



## SCHOOLS—

A bill to authorize the town of Palmetto to establish a system of public schools.	343	411	521
A bill to repeal an Act incorporating the Woodbury school district	344	470	524
A bill to amend the Act to provide for the creation and operation of local tax school districts.	344	465	969
A bill to repeal the Act creating a system of public schools in the corporate limits of Wrightsville	371	465	527 549
A bill to establish a system of public schools in the town of Hiram	569	620	646
A bill to establish a system of public schools for Dallas	608	683	722
A bill to establish a system of public schools for the city of Darien	610	682	746
A bill to authorize the trustees of Effingham Academy to use the assets to build a school building at Springfield	612	685	743
A bill to amend the school laws of the city of Moultrie	626	683	741
A bill to incorporate the Waresboro school district	627	685	744
A bill to establish a system of public schools for the city of McDonough	680	696	773
A bill to authorize the town of Wrens to establish a system of public schools	680	695	775
A bill to amend an Act establishing a system of public schools for Lumber City	765	872	921
A bill to authorize the establishment of a system of public schools in the town of Martin.	765	877	963
A bill to provide for additional funds for the maintenance of Agricultural and Industrial Schools	767	831	936
A bill to provide for a system of public schools for Helena	806	878	936

## TAXES—

A bill to levy and collect taxes for the support and maintenance of the State Government for the years 1910 and 1911. . . . .	625	650	852	887	897
A bill to levy a tax as required by the Constitution to raise the sinking fund to pay off and retire the valid bonds of the State as they mature. . . . .	673	693	928		
A bill to provide that the fund arising from the license tax for beer, wine and whiskey and other spirituous liquors be made available to meet the general expenses of the State . . . . .	676	692	935		

## HOUSE RESOLUTIONS—

A resolution to appoint a joint committee to investigate the suspension of Hon. S. G. McLendon. . . . .	234
A resolution to provide for a joint committee to investigate the condition of the galleries of the House and Senate . . . . .	279
A resolution to direct the Governor to communicate with Mr. Luther Burbank, of Santa Rosa, Cal., to request him to include the cotton plant in his experiment . . . . .	289 301
A resolution requesting the Georgia delegation in Congress to use their influence toward requiring the Agricultural Department to gather certain information as to amount of cotton in warehouses . . . . .	289 300
A resolution requesting the Georgia delegation in Congress to use their influence in behalf of such bills as will prohibit fictitious trading on stock exchanges . . . . .	289 301
A resolution to amend the inscription to be placed on the monument of Gen. James Edward Oglethorpe, and to provide for the ceremonies attending the unveiling of the same . . . . .	289

## HOUSE RESOLUTIONS—Continued.

A resolution to invite J. W. McCormick, of Kentucky, to address the Legislature on pure food.	311	354
A bill to authorize the Governor to borrow money	311	342 353
A resolution relative to the Consular service of the United States		325
A resolution to authorize the Treasurer of this State to sign his name to certain bonds issued by the State	328	342 354
A resolution to provide a joint committee to investigate matters relating to fish and oyster culture in this State		344
A resolution to authorize the joint committee to visit the University and its branches during interim of sessions	409	441
A resolution to authorize the McLendon Committee to identify and file a report of their committee with the Senate and House		576
A resolution to provide for visiting convict camps.	682	781
A resolution to pay Archibald McKinley pension due him	767	851 1050
A resolution to pay pension to Mrs. Susan P. Ford, widow of the late E. P. Ford.	768	851
A resolution to pay the stenographers of the McLendon Investigation Committee the sum of six hundred and twelve dollars and fifty cents.	775	833 941
A resolution to pay the Sergeant-at Arms of the Investigation Committee the sum of \$82.52.	796	833 940
A resolution to empower the State Librarian to offer a ten per cent. discount to book dealers buying from the State Library	816	880 965
A resolution to pay W. L. Williamson \$100.00 for other purposes	816	884 1050
A resolution directing the purchase of lands near Chattanooga for increasing the facilities of the W. & A. R. R.	816	881 959

HOUSE RESOLUTIONS—Continued.

A resolution to reimburse Major Jefferson Davis Dunwoody, of the National Guard of Georgia in the sum of \$98.50.	817	884	1049
A resolution to authorize the Governor to draw his warrant in favor of J. Pope Brown, treasurer, for the sum of \$4,812.57, the amount of decree against the State in case of R. E. Park, Treasurer	818	883	944
A resolution providing for the payment of Chas. P Byrd, State Printer, the sum of \$550.00	818	884	
A resolution to appropriate a sufficient amount of money to meet a deficiency to meet the cost of publishing new volumes of Supreme Court, and Court of Appeals	818	884	945
A resolution to furnish to the county of Liberty, for the use of the Ordinary, volumes of the Georgia Reports	818	882	989
A resolution to pay pension of Mrs. Lottie E. Coker	819	882	1055
A resolution for the relief of Claude Hancock and John Bruce	819	881	1055
A resolution to pay W C Allen, oil inspector at Wrightsville, \$10.80 erroneously paid by him to the State	819	881	
A resolution to provide for the meeting of the Committees on the Academy for the Blind while the General Assembly is not in session.	819	881	1046
A resolution permitting committees to visit School for Deaf during interim between sessions 1909-10	821	880	1046
A resolution to pay pension of Mrs. F. E. Morgan	820	882	961 1054
A resolution providing for a joint committee on tax returns			962
A resolution relative to the unfinished business of the present session			975
A resolution appointing a joint committee inquiring into the arrangement of the judicial circuits			975





